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# JOURNAL

OF THE

# ASSEMBLY

OF THE

# STATE

OF

# NEW-YORK;

AT THEIR TWENTY-SECOND SESSION, SECOND MEETING, BEGAN AND HELD AT THE CITY OF ALBANY, THE SECOND DAY OF JANUARY, 1799.

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# JOURNAL OF THE ASSEMBLY.

## STATE OF NEW-YORK.

ASSEMBLY CHAMBER IN THE CITY OF ALBANY,

WEDNESDAY, *January* 2d, 1799.

THE Honorable the Senate and Aſſembly having on the 27th day of Auguſt laſt, by concurrent reſolutions, adjourned, to meet at the city of Albany, on the firſt Wedneſday in January inſtant; a majority of the Houſe appearing, Mr. Speaker took the chair.

*Ordered*, That Mr. Adams and Mr. Abeel wait on his Excellency the Governor, and inform him that this Houſe is met, and ready to proceed on buſineſs.

*Ordered*, That Mr. Adriance and Mr. Arcularius wait on the Hon. the Senate, and inform them that this Houſe is met, and ready to proceed on buſineſs.

Mr. Adams reported, that purſuant to the order of the Houſe, Mr. Abeel and himſelf had waited on his Excellency the Governor with the meſſage from this Houſe, and that his Excellency had been pleaſed to ſay, that the communication which he had to make to the Legiſlature, he would ſend by meſſage.

Mr. Speaker laid before the Houſe a communication from the Comptroller, which was read, and is in the words following, viz.

Comptroller's Office, *Albany*, 2d *January*, 1799.

SIR,

In purſuance of the reſolution of the Hon. the Houſe of Aſſembly of the 15th of Auguſt laſt, I incloſe a report reſpecting a ſyſtem of taxation for this State, together with a draft of a bill for carrying the ſame into operation. I have the honor to be, with great reſpect, your obedient ſervant, SAMUEL JONES.

*The Hon. Speaker of the Houſe of Aſſembly of the State of New-York.*

The ſaid report having been read, is in the words following, viz.

*To the Hon. Houſe of Aſſembly of the State of New-York.*

IN purſuance of the Reſolution of the Hon. Houſe of Aſſembly of the 15th of Auguſt laſt, directing the Comptroller to report to the Houſe on the firſt day of the then next meeting of the Legiſlature, an uniform ſyſtem of Taxation for this State, together with a draft of a bill for carrying the ſame into operation, he has conſidered the ſubject, and thereupon reports: That the mode of taxation now practiſed in this State, being conſidered as imperfect and arbitrary, it becomes neceſſary to adopt a different ſyſtem; and ſuppoſing all taxes to be raiſed in this State are to be laid generally, upon real and perſonal eſtates, the difficulty in forming a ſyſtem upon the ſubject, muſt reſpect the mode or manner of apportioning and aſſeſſing them. Upon this ſubject ſo many difficulties occur, and opinions are ſo various, that entire approbation of any mode that can be deviſed is not to be expected.

It is generally agreed that every perſon ought to bear a ſhare of taxes in proportion to the means afforded by his property of paying it. And if a juſt valuation or aſſeſſment of ſuch means could be obtained, no further difficulty would remain. It will be readily perceived that no apportionment among the counties or towns would then be neceſſary. The impoſſibility of obtaining accurate valuations or aſſeſſments, or of correcting the miſtakes, errors and abuſes committed by aſſeſſors on the preſent plan, has induced many to prefer ſpecific taxation, by

valuing or taxing each particular ſpecies of property at a certain ſum, without gard to any difference between the ſeveral articles of the ſame ſpecies. T mode avoids all diſcretionary and arbitrary, conjectural apportionments and ments of taxes; and if the citizens of the State could be reconciled to it, wo probably in its operation produce greater equality than can be effected by ment. For as all charges upon any property will be conſidered in the price, tax will become nearly equal, the moment a ſale of the thing taxed takes pl But it would be really unequal upon the preſent poſſeſſors; and in appear continue ſo when the property goes into the hands of purchaſers. Hence public opinion is againſt it. And probably if this mode was adopted it wo continue to give diſguſt and uneaſineſs to a very conſiderable number of citize for when two acres of land or two horſes very unequal in value, are each taxe the ſame ſum, it will be difficult to convince the owner of the pooreſt that he not aggrieved.

In a general ſyſtem of taxation for a community, it would undoubtedly be pro that luxuries and mere conveniencies ſhould be taxed higher than neceſſaries. I in the United States they are, or probably will be ſufficiently charged by the ge eral government; and therefore any additional tax upon them by the State wo be improper.

The value of all property in reference to taxation is in proportion to the inco of it: for no property that does not produce an annual profit can bear an annu charge: hence it ſeems reaſonable that taxes ſhould be laid upon the income not upon the ſuppoſed value of eſtates. Where houſes or lands are rented, t amount of the yearly rent is the annual income; where they are occupied by t owner, what the buildings, excluſive of the farm, would rent for may be nearly a certained by judicious aſſeſſors. Some difficulties will occur in reſpect to farm and perhaps it will be proper to conſider ſome portion of the produce as t amount of the income, when occupied by the owner. This portion ought to b what a tenant could afford to give, which is ſuppoſed to be about a third.

Rents in fee or for life ought to be conſidered, and taxed as the income of r eſtates. But to tax the owner of the rent for it, and to deduct the tax on the r from the tax on the income of the land would occaſion much trouble and difficul both to the public and to the parties: it will therefore be proper to tax as if the was no ſuch charge; and allow the perſon who pays the tax to deduct a due pr portion of it out of the rent, in all caſes where there is no agreement on the ſubje between the parties.

In reſpect to perſonal eſtates, it is conceived that certain articles ought to be exe from taxation, ſuch as farming utenſils, the tools of a man's trade, and his arms an accoutrements for ſerving in the militia. It may alſo be proper to exempt all cler gymen, preſidents of colleges, profeſſors, tutors and teachers in colleges, acade mies and ſchools from taxes for, or in reſpect of their ſalaries: and as all ſhip and veſſels employed in commerce out of this State with their cargoes, are taxe by the Congreſs of the United States, who have the excluſive right of regulatin trade, it is ſuppoſed to be improper to include them in any State tax. Th perſonal eſtates then proper to be taxed will conſiſt generally of the followin articles: (1.) cattle, horſes, ſheep, ſwine, and other ſuch like ſtock: or (2 ſtock or capital in trade: or (3.) money at intereſt: or (4.) houſhold furniture. The value of the ſeveral articles under the firſt head may be aſcertained with ſuffi cient accuracy by the aſſeſſors, and the legal intereſt of the amount may be con ſidered as the annual income: but it will be very difficult to diſcover the amou or value of the reſidue of the perſonal eſtate of each inhabitant, conſiſting of ſtoc in trade, or money at intereſt, and houſhold furniture: and therefore the aſſeſſo muſt of neceſſity exerciſe a diſcretion reſpecting it. To remedy this inconvenien in ſome degree, it may be proper to permit the party to aſcertain the value by hi own oath. But to correct any abuſes or miſtakes the aſſeſſors may commit, an to perfect the tax-rolls, and enforce the collection of the tax, it will be neceſſary t have commiſſioners in each county empowered to hear appeals concerning the aſſeſſments, to reviſe and amend them, and to compute and inſert therein the tax to b paid by each perſon, and to iſſue warrants to the collectors thereon.

That as little as poſſible may be left to the mere diſcretion of the Aſſeſſors, it will be proper to declare, whether the ſalaries or profits of any and what Offices in the State are to be taxed; and if taxed, by what rule. Where the ſalaries or profits of offices are ſmall, and intended only as compenſation for actual and occaſional ſervices, they do not ſeem to be proper objects of taxation. It is therefore propoſed to tax only ſuch as exceed 250 dollars a year, and conſidering the amount as a principal, to tax the intereſt of it in the ſame manner as any other perſonal eſtate to that amount is to be taxed.

To complete the aſſeſſments upon theſe principles, will require time and attention; and it is not to be expected, that any man competent to the buſineſs will undertake it without compenſation, which ought to be fixed by law, and paid by the State out of the monies ariſing from the tax.

From the principles above ſtated, it would ſeem to follow that uncultivated lands ought not be taxed, as they produce no profit: but although they do not produce an annual income, they encreaſe in value by the ſettlements around them without any expence to the owner, and therefore it may be proper to charge them with a tax to be paid by the owner when the land ſhall be cultivated or improved ſo as to produce a profit. If the tax in the mean time remains a charge upon the land, and the purchaſer upon ſales has a right to deduct the amount out of the price, it will always fall upon the owner of the land, who will not be bound to pay it until the land begins to produce a profit; and upon ſuch parts as ſhall be reſerved for timber or fuel, or may be incapable of cultivation, it will never become payable.

To carry any ſyſtem of taxation into execution, it will be neceſſary to make proviſion by law for puniſhing delinquencies: for ſettling the accounts of every perſon employed in it: and for the due collection every year of the arrears of former years, without which there can be but little proſpect of a due execution of the law: for generally ſpeaking, in proportion as thoſe proviſions are more or leſs effectual, it will be well or ill executed.

It may be proper to mention that in preparing the annexed draft of a bill for the aſſeſſment and collection of taxes in this State, it was conceived neceſſary to depart from the uſual practice in ſuch caſes of leaving blanks for ſums and times: and to inſert both in the bill, that the ſeveral parts of it might be the better underſtood. No inconvenience however can ariſe from it, as thoſe parts are marked: and the bill may be read as if they were blanks.

The comptroller begs leave to obſerve that in a bill on a ſubject of ſo much difficulty, & requiring ſo many, & ſuch various proviſions, there may be ſome miſtakes & omiſſions, which the wiſdom of the Legiſlature will correct and ſupply, and after beſtowing the utmoſt attention upon it, experience muſt decide how far any ſyſtem that may be adopted, and the means for carrying it into operation, will be proper and adequate. All which is reſpectfully ſubmitted.

SAMUEL JONES, *Comptroller.*

*Albany, January* 1, 1799.

Thereupon, *Ordered*, That 150 copies of the ſaid report be forthwith printed for the uſe of this Houſe.

*Ordered*, That the ſaid report be committed to the committee of ways and means.

A petition of James Barber, of the town of Cambridge, in the county of Waſhington, relative to a claſs right of land, was read and referred to the Surveyor General to report thereon.

Then the Houſe adjourned untill eleven o'clock to-morrow morning.

THURSDAY, *eleven o'clock, A. M. January* 3*d*, 1799.

Mr. Adriance reported, that purſuant to the order of the Houſe, Mr. Arcularius and himſelf had waited on the Hon. the Senate with the meſſage from this Houſe.

A meſſage from the Hon. the Senate was delivered by Mr. T. Morris and Mr. Sanders, that the Senate were met and ready to proceed on buſineſs.

A petition of Dirck Cluet, of Charleſton, in the county of Montgomery, relative to a lot of land in the ſaid county, alledged by him to have become forfeited to the people of this State, was read and referred to the Surveyor-General to report thereon.

A petition of Alexander Murray and others, and a petition of Thomas Bourn and others, inhabitants of the town of Broadalbin, in the county of Montgomery, praying a diviſion of the ſaid town into two towns, were ſeverally read and referred to the members attending this Houſe from the county of Montgomery.

*Reſolved*, That this Houſe will to-morrow, at twelve of the clock, proceed to nominate and appoint a council of appointment.

The Houſe proceeded to the conſideration of the report of the ſelect committee to whom was referred the bill entitled "An act for the benefit of inſolvent debtors and their creditors," as entered on the journal of this Houſe on the 27th day of Auguſt laſt, and the ſame having been read; Thereupon,

*Ordered*, That the ſaid bill be recommitted to a committee of the whole Houſe.

*Ordered*, That 150 copies of the ſaid bill be forthwith printed for the uſe of this Houſe.

Then the Houſe adjourned until eleven o'clock to-morrow morning.

FRIDAY, *eleven o'clock, A. M. January 4th*, 1799.

James Fairlie, one of the members of this Houſe, returned as duly elected in the city and county of New-York, appeared in the Aſſembly chamber.

*Ordered*, That Mr. Baldwin and Mr. Barker attend before one of the commiſſioners appointed to adminiſter oaths, with Mr. Fairlie, and ſee him duly qualified.

A petition of Jonas C. Baldwin and others, inhabitants of the town of Ovid, in the county of Onondaga, relative to a lot of land in the ſaid town in which there is a mill-ſeat, was read and referred to Mr. Richardſon, Mr. King and Mr. A. Smith.

A petition of Mary Hanſon, widow and relict of John Hanſon, formerly of the city of New-York, merchant, deceaſed, relative to a balance due her late huſband, on a penſion granted by his Britannic Majeſty, out of the quit rents ariſing within the late colony of New-York, was read and referred to Mr. Prevoſt, Mr. C. Lanſingh and Mr. A. Smith.

Mr. Baldwin reported, that purſuant to the order of the Houſe, Mr. Barker and himſelf had attended before the Hon. Stephen Van Renſſelaer, Eſq. one of the commiſſioners appointed to adminiſter oaths, with Mr. Fairlie, and had ſeen him duly qualified, by taking and ſubſcribing before the ſaid commiſſioner the oath of abjuration and allegiance as by law required, and the oath to ſupport the conſtitution of the United States.

*Ordered*, That Mr. Fairlie do take his ſeat.

A memorial of Marinus Willett, late colonel commandant of a regiment of levies raiſed in this State, on behalf of himſelf and others, officers of the ſame regiment, praying the like bounty in lands for their ſervices as has been granted to the other officers of the ſaid regiment; and a petition of Jeſſe Miller, alſo praying a grant of bounty lands, were ſeverally read, and referred to Mr. Fairlie, Mr. Clift and Mr. Pauling.

A petition of Henry Shute and Peter De Reimer, for themſelves and others, legal repreſentatives of Iſaac De Reimer, ſen. deceaſed, ſtating that they are entitled to three-ſixths of the eſtate which was in the poſſeſſion of James De Lancey at the time of his attainder, and praying a reaſonable compenſation for the ſame, was read, and referred to the Attorney-General.

A petition of Rhoda Trowbridge, widow and adminiſtratrix of Billy Trowbridge, late of the town of Solon, in the county of Onondaga, deceaſed, and of Billy Trowbridge, her eldeſt ſon, praying that a law may be paſſed empowering her to diſpoſe of a part of the real eſtate whereof her ſaid huſband died ſeized, for the payment of his debts, was read, and referred to Mr. Johnſon, Mr. Adriance and Mr. Van Benthuyſen.

A meſſage from his Excellency the Governor, delivered by his private ſecretary, was read, and is in the words following, viz.

GENTLEMEN,

His Excellency the Governor of Connecticut, having in a letter dated the third day of November laſt, tranſmitted to me a copy of a reſolution of the General Aſſembly of that State, reſpecting a propoſed important amendment to the Conſtitution of the United States; I think it my duty to lay the ſame before you.

*Albany, 4th January*, 1799. JOHN JAY.

The reſolution which accompanied the meſſage of his Excellency the Governor, as read, and is in the words following, viz.

*At a general Aſſembly of the State of Connecticut, holden at New-Haven, on the ſecond Thurſday of October, A. D.* 1798.

A Reſolution of the Legiſlature of the Commonwealth of Maſſachuſetts, paſſed the 28th day of June, A. D. 1798, having been ſubmitted to the conſideration of this Aſſembly, recommending the adoption of meaſures to obtain an amendment to the Conſtitution of the United States, which ſhall exclude foreign influence from their councils, and to co-operate with ſaid Commonwealth in the attainment of an object ſo important to our national independence:

*Reſolved*, That the Senators and Repreſentatives of this State, in the Congreſs of the United States, be, and they are hereby requeſted, to uſe their beſt endeavours that Congreſs propoſe to the Legiſlatures of the ſeveral States, the following amendment to the Conſtitution of the United States, viz.

That (in addition to the other qualifications preſcribed by ſaid Conſtitution) no perſon ſhall be eligible as Preſident or Vice-Preſident of the United States; nor ſhall any perſon be a Senator or Repreſentative in the Congreſs of the United States except a natural born citizen, or unleſs he ſhall have been a reſident in the United States at the time of the declaration of independence, and ſhall have continued either to reſide within the ſame, or to be employed in its ſervice, from that period to the time of his election. And in caſe the Senators and Repreſentatives of this State in Congreſs, ſhall find that the aforeſaid amendment is not conformable to the ſentiments of a conſtitutional majority of both branches of the national Legiſlature, they are hereby requeſted ſo to modify the ſame as to meet the ſentiments of ſuch majority. *Provided however*, That any amendment which may be agreed upon ſhall exclude from a ſeat in either branch of Congreſs, any perſon who ſhall not have been naturalized at the time of making this amendment, and have been admitted a citizen of the United States, fourteen years at leaſt, at the time of ſuch election.

*Reſolved further*, That his Excellency the Governor be, and he is hereby requeſted, to communicate the foregoing reſolve to the Supreme Executive of the ſeveral States, and alſo to tranſmit the ſame to the Senators and Repreſentatives in Congreſs.

A true Copy of Record.

Examined by SAMUEL WYLLYS, *Secretary.*

*Ordered*, That the ſaid meſſage of his Excellency the Governor and the papers which accompanied the ſame, be committed to a committee of the whole Houſe, to be taken into conſideration on Tueſday next.

A copy of a reſolution of the Hon. the Senate, delivered by Mr. Beekman and Mr. Bronk, was read, and is in the words following, viz.

*Reſolved*, (if the Hon. the Aſſembly concur herein) That the Comptroller be and hereby is directed to procure at the expenſe of this State, an iron cheſt, ſufficient to contain the bonds and mortgages belonging to the State, and that he put and keep the ſame therein, and place and keep the ſame iron cheſt in the public building in the city of Albany; and that the Comptroller ſhall alſo be at liberty to depoſit and keep in the ſaid public building in proper cheſts or boxes, ſuch of the books and papers belonging to his office, as he may from time to time think proper. And the Secretary of this State is hereby directed to permit the Comptroller to have acceſs to the ſaid cheſts and papers at all ſeaſonable hours in the day time.

*Reſolved*, That this Houſe do concur with the Hon. the Senate in the ſaid preceding reſolution.

*Ordered*, That Mr. Barker and Mr. Bill deliver a copy of the preceding reſolution of concurrence to the Hon. the Senate.

A meſſage from his Excellency the Governor, tranſmitted to this Houſe by the Hon. the Senate, was read, and is in the words following, viz.

GENTLEMEN,

I have the honor of herewith conveying to you the anſwer of the Preſident of the United States to your Addreſs.

JOHN JAY.

*Albany, 3d January*, 1799.

The anſwer of the Preſident of the United States to the addreſs of the Senate and

Aſſembly was read, and ordered to be entered on the journal of this Houſe. T
ſame is in the words following, viz.

*To the Hon. the Senate and Aſſembly of the State of New-York.*

GENTLEMEN,

I HAVE received your unanimous addreſs. If an addreſs of ſo much dign
and authority could have received any addition from the channel of conveyan
you have choſen that which is neareſt my heart, in his Excellency JOHN JAY, t
Governor of the State of New-York, of whoſe purity, patriotiſm, fortitude, ind
pendence and profound wiſdom I have been a witneſs for a long courſe of yea
The poſition in the Union of the great and growing State of New-York, its incalc
lable advantages in agriculture as well as commerce, render this unanimous act
the two Houſes of its Legiſlature, one of the moſt important events of the preſe
year.

WITH the moſt ſincere reſpect and cordial ſatisfaction, Gentlemen, I congra
tulate you on the decided appearance in America, of a ſolid national charact
From the Miſſiſippi to the St. Croix, unqueſtionable proofs have been given
national feelings, national principles, and a national ſyſtem. This is all that w
wanting to eſtabliſh the power of the American people, and enſure the reſpect a
juſtice of other nations.

FOR all that is perſonal to myſelf, I pray you to accept my beſt thanks:
never have had, and I never ſhall have, any claims on the gratitude of my country
If I have done my duty to them, and they are convinced of it, this is all that I ha
deſired or ſhall deſire. The ſtrong claims which your State holds in the nation
defence and protection, will have every attention that depends on me. I tha
you for the expreſſion of the ſatisfaction you derive from the freſh inſtance of gr
and diſintereſted patriotiſm which my illuſtrious predeceſſor has manifeſted. M
he long continue to be, as he ever has been, the inſtrument of great good, and th
example of great virtue to his fellow-citizens. The laſt act of his political life, i
accepting his appointment, will be recorded in hiſtory as one of the moſt brilli
examples of public virtue that ever was exhibited among mankind.

JOHN ADAMS.

QUINCY, *Auguſt* 31, 1798.

Mr. Speaker laid before the Houſe the Treaſurer's account of bills of credit o
the emiſſion of the 8th February, 1788, deſtroyed agreeably to law, which accou
with the certificate thereto annexed was read, and is in the words and figures fo
lowing, viz.

An account of bills of credit of the emiſſion of the 8th day of February, 178
ariſing from intereſt, and part principal of the monies put out on loan in the ye
1786, to the third Tueſday in June laſt.

| | | | |
|---|---|---|---|
| 8 | *Bills of* | £.10 | £.80 |
| 5 | Do. | 5 | 25 |
| 1229 | Do. | 4 | 4916 |
| 11 | Do. | 3 | 33 |
| 8 | Do. | 2 | 16 |
| 12 | Do. | 1 | 12 |
| 30 | Do. | 10s. | 15 |
| 26 | Do. | 5s. | 6 10 |
| 1329 | *Bills* | | £.5103 10 |

ROBERT M'CLALLEN, *Treaſurer.*

We the ſubſcribers appointed for that purpoſe, by an act of the Legiſlature o
the State of New-York, entitled "An act relative to the treaſury of this State,"
paſſed March 19th, 1798, do hereby certify, That the Treaſurer of this State ha
in our preſence, agreeably to law, deſtroyed by burning to aſhes the one thouſand
three hundred and twenty-nine bills deſcribed in the above account, amounting to
gether to the ſum of five thouſand, one hundred and three pounds ten ſhillings.
Witneſs our hands this 5th day of November, one thouſand, ſeven hundred and
ninety-eight.

ABM. TEN BROECK,
JERH. VAN RENSSELAER,
BARENT BLEECKER.

The order of the day being read, the Houſe proceeded openly to nominate and point a council of appointment, and each member preſent nominated four Sen-ors in the manner following, viz.

| | Jacobus Van Schoonhoven | Samuel Haight | Ebenezer Foote | John Frey | Ebenezer Clark | John Addiſon | William Denning | | Jacobus Van Schoonhoven | John Addiſon | William Denning | John Frey | Ebenezer Foote | Ebenezer Clark | Samuel Haight |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Mr. Adams | | | | 1 | 1 | 1 | 1 | Mr. Lee | | 1 | | 1 | | 1 | 1 |
| Mr. Abeel | | | 1 | do | do | | do | Mr. Lefevre | | | | do | 1 | do | do |
| Mr. Adriance | | | | do | do | do | do | Mr. Lott | | | | do | do | do | do |
| Mr. Arcularius | | | | do | do | do | do | Mr. M'Intyre | | do | 1 | do | | do | |
| Mr. Baldwin | | | | do | do | do | do | Mr. J. M'Kinſtry | | | | do | do | do | do |
| Mr. Barker | | 1 | do | do | do | | | Mr. M'Neil | | | | do | do | do | do |
| Mr. Bill | | do | do | do | do | | | Mr. Micheau | | | | do | do | do | do |
| Mr. Blake | | | | do | do | do | do | Mr. E. Mott | | do | | do | | do | do |
| Mr. Boyd | | | | do | do | do | do | Mr. W. Mott | | | | do | do | do | do |
| Mr. Burling | | | | do | do | do | do | Mr. Nexen | | do | do | do | | do | |
| Mr. Burt | | | | do | do | do | do | Mr. Paine | | | | do | do | do | do |
| Mr. Butler | | do | do | do | do | | | Mr. Pauling | | | | do | do | do | do |
| Mr. Campbell | | do | do | do | do | | | Mr. Pearce | | | | do | do | do | do |
| Mr. Carpenter | | | | do | do | do | do | Mr. Peck | | do | do | do | | do | |
| Mr. Clark | | 1 | | do | do | | do | Mr. Prevoſt | | do | do | do | | do | |
| Mr. Clift | | do | do | do | do | | | Mr. Reynolds | | | | do | do | do | do |
| Mr. Coe | | | | do | do | do | do | Mr. Richardſon | | | | do | do | do | do |
| Mr. Comſtock | do | | | do | | do | do | Mr. Robins | | do | do | do | | do | |
| Mr. Corl | do | | | do | | do | do | Mr. Root | | do | do | do | | do | |
| Mr. Crocker | | do | do | do | do | | | Mr. Savage | | | do | do | do | do | |
| Mr. Cummings | | do | do | do | do | | | Mr. Schermerhorn | | | | do | do | do | do |
| Mr. Deitz | | do | do | do | do | | | Mr. Schuneman | | do | do | do | | do | |
| Mr. Dewey | | do | do | do | do | | | Mr. Schuyler | | | | do | do | do | do |
| Mr. De Witt | | do | do | do | do | | | Mr. Shurtleff | | | | do | do | do | do |
| Mr. Dodge | | do | do | do | do | | | Mr. Skidmore | | do | do | do | | do | |
| Mr. Doty | | do | do | do | do | | | Mr. A. Smith | | do | do | do | | do | |
| Mr. Fairlie | | | | do | do | do | do | Mr. H. Smith | | do | do | do | | do | |
| Mr. Fort | | do | do | do | do | | | Mr. John Smith | | do | do | do | | do | |
| Mr. French | | do | do | do | do | | | Mr. John M. Smith | | | | do | do | do | do |
| Mr. Furman | | | do | do | do | | do | Mr. Joſhua Smith | | do | do | do | | do | |
| Mr. Gates | | do | do | do | do | | | Mr. Philip Smith | | | | do | do | do | do |
| Mr. B. Gilbert | | do | do | do | do | | | Mr. Snell | | do | do | do | | do | |
| Mr. E. Gilbert | | | | do | do | do | do | Mr. Storm | | do | do | do | | do | |
| Mr. Gray | | do | do | do | do | | | Mr. Swartwout | | do | do | do | | do | |
| Mr. Hall | | do | do | do | do | | | Mr. Tabor | | do | do | do | | do | |
| Mr. Heermance | | do | do | do | do | | | Mr. Teed | | | | do | do | do | do |
| Mr. Henry | | do | do | do | do | | | Mr. P. Ten Broeck | | | | do | do | do | do |
| Mr. Hoag | | do | do | do | do | | | Mr. S. Ten Broeck | | do | do | do | | do | |
| Mr. Hogeboom | | | | do | do | do | do | Mr. Thomas | | do | do | do | | do | |
| Mr. Honeywell | | | | do | do | do | do | Mr. Van Benthuyſen | | do | do | do | | do | |
| Mr. Hopkins | | | do | do | do | | do | Mr. Van Renſſelaer | | | | do | do | do | do |
| Mr. Hunt | | | | do | do | do | do | Mr. Veeder | | do | do | do | | do | |
| Mr. Johnſon | | | | do | do | do | do | Mr. Voorhis | | | | do | do | do | do |
| Mr. Kane | | | do | do | do | do | | Mr. Waren | 1 | do | do | do | | | |
| Mr. King | | | do | do | do | do | | Mr. Weſtcott | | do | do | do | | do | |
| Mr. Landon | | | | | do | do | do | Mr. Wolfe | | do | do | do | | do | |
| Mr. C. Lanſingh | | | do | do | do | do | | | | | | | | | |
| Mr. J. Lanſingh | | | do | do | do | do | | | 4 | 47 | 49 | 94 | 49 | 91 | 47 |

It appearing from the foregoing nomination that William Denning, John Frey, Ebenezer Clark and Ebenezer Foote, were duly nominated: Thereupon,

*Reſolved*, That William Denning, one of the Senators from the ſouthern diſtrict, Ebenezer Foote, one of the Senators from the middle diſtrict, John Frey, one of the Senators from the weſtern diſtrict, and Ebenezer Clark, one of the Senators from the eaſtern diſtrict be, and they are hereby nominated and appointed, according

to the form and effect of the article of the conſtitution in ſuch caſe made and pro-
vided, a council for the appointment of all officers within this State, other than
thoſe who by the conſtitution are directed to be otherwiſe choſen or appointed.

*Ordered*, That a copy of the laſt preceding reſolution ſubſcribed by the Speaker be delivered to his Excellency the Governor.

The Surveyor-General, to whom was referred the petition of James Barber, re-
ported, That the petitioner on the 18th May, 1782, filed a location in the Surveyor-
General's Office, for two hundred acres of land at Cambridge, together with the
documents entitling him to make a location for that quantity of unappropriated
land, which location and documents ſtill remain on file. The land located as
aforeſaid not being unappropriated, the locator had a right, while the laws author-
zing ſuch locations were in force, to make his location elſewhere on any of the un-
appropriated lands of the State not particularly excepted, which he has omitted
to do. All which is reſpectfully ſubmited,

SIMEON DE WITT, *Surveyor-General*.

*3d January*, 1799.

*Ordered*, That the ſaid report of the Surveyor-General, together with the ſaid
petition be referred to Mr. Crocker, Mr. Root and Mr. Voorhis.

Mr. Root purſuant to notice by him for that purpoſe heretofore given, moved
for, and obtained leave, to bring in a bill entitled "An act to repeal an act entitled
"An act to preſerve and ſupport the juriſdiction of this State," which was read the
firſt time and ordered a ſecond reading.

Then the Houſe adjourned until eleven o'clock to-morrow morning.

SATURDAY, *eleven o'clock, A. M. January 5th*, 1799.

The bill entitled "An act to repeal an act entitled "An act to preſerve and ſup-
port the juriſdiction of this State," was read the ſecond time and committed to a
committee of the whole Houſe.

A petition of John Thurman, relative to a diſpute concerning a tract of land in
Waſhington County, was read: Thereupon,

*Ordered*, That that the conſideration of the ſaid petition be poſtponed for two
weeks.

A petition of the conſtables of the city and county of New-York, praying that a
law may be paſſed, granting them compenſation for their attendance at the courts
in the ſaid city and county, was read and referred to Mr. Furman, Mr. Baldwin
and Mr. Corl.

A petition of Gabriel North and others, inhabitants of the towns of Walton and
Colcheſter, in the county of Delaware, praying that that part of the ſaid town of
Colcheſter, lying on the weſt or Cookquago branch of the Delaware river, may be
annexed to the ſaid town of Walton, was read and referred to Mr. Root, Mr. But-
ler and Mr. Lefevre.

A petition of Auguſtus Bates and others, inhabitants of the towns of Harper-
field and Kortright, in the county of Delaware, praying that certain parts of the
ſaid towns may be annexed to the town of Stamford; and a petition of Andrew
Beers and others, inhabitants of the town of Stamford, in the ſaid county of Dela-
ware, praying for a diviſion of the ſaid town into two towns, were ſeverally read
and referred to Mr. Butler, Mr. M'Intyre and Mr. Comſtock.

A petition of Samuel Bear, ſtating, that he hath made improvements on a lot of
land in the late Cayuga Reſervation, and praying the like privileges as have been
granted by the State to other ſettlers on the ſaid Reſervation; and a petition of
Daniel Wileman and Wheeler Allen, of the town of Scipio, in the county of Onon-
daga, praying a grant of lot No. 128, in the late Cayuga Reſervation, were ſever-
ally read and referred to Mr. Richardſon, Mr. Paine and Mr. King.

A petition of Robert Pennell, relative to a lot of land in the town of Salem, in
the county of Waſhington, forfeited by the attainder of William Moffet, was read
and referred to Mr. Thomas, Mr. Nexen and Mr. Skidmore.

A petition of Clark Jennings, praying payment for tranſportation of a quantity
of arms and accoutrements from Fort-Stanwix to Geneva, in the year 1794, was
read and referred to Mr. Gray, Mr. French and Mr. Schuneman.

A petition of David Little and others aliens, praying that they may be enabled

by law to purchaſe and hold real eſtates within this State, was read and referred to Mr. Van Renſſelaer, Mr. Wolfe and Mr. John M. Smith.

Mr. M'Intyre from the committee conſiſting of the members attending this Houſe from the county of Montgomery, to whom was referred the petition of Alexander Murray and others, reported in favour of the petitioners, and obtained leave to bring in a bill entitled "An act for dividing the town of Broadalbin, in the county of Montgomery," which was read the firſt time and ordered a ſecond reading.

Mr. John M. Smith from the committee of ways and means, to whom was referred the report of the Comptroller, relative to an uniform ſyſtem of taxation for this State, reported, That the committee think proper to lay before the Houſe a draft of a bill prepared by the Comptroller, entitled "An act for the aſſeſſment and collection of taxes within this State," without giving any opinion thereon; the ſaid bill was read the firſt time, and by unanimous conſent was alſo read a ſecond time, and committed to a committee of the whole Houſe.

Then the Houſe reſolved itſelf into a committee of the whole Houſe on the ſaid bill, and after ſome time ſpent thereon, Mr. Speaker reſumed the chair, and Mr. Fairlie from the ſaid committee reported progreſs and obtained leave to ſit again.

Then the Houſe adjourned until eleven o'clock to-morrow morning.

MONDAY, *eleven o'clock, A. M. January 7th*, 1799.

The bill entitled "An act for dividing the town of Broadalbin, in the county of Montgomery," was read the ſecond time and committed to a committee of the whole Houſe.

A petition of Thomas Gourlay, of the town of Hebron, in the county of Waſhington, praying that he may be enabled by law to purchaſe and hold real eſtates within this State, was read and referred to Mr. Van Renſſelaer, Mr. Wolfe and Mr. John M. Smith.

A petition of Nathan Wilſon, relative to a lot of land by him purchaſed from the commiſſioners of forfeitures for the eaſtern diſtrict, was read and referred to Mr. Thomas, Mr. Nexen and Mr. Skidmore.

A petition of Jonathan Patten and others, Juſtices of the Peace, and Conſtables of the county of Onieda, relative to fees due them for ſervices performed within the former county of Herkimer, was read and referred to the members attending this Houſe from the counties of Herkimer and Onieda.

A meſſage from his Excellency the Governor, delivered by his private Secretary, was read, and is in the words following, viz.

GENTLEMEN,

I HEREWITH lay before you, a letter of the 4th of laſt month, from two of the Commiſſioners, appointed for providing arms, accoutrements and field Artillery for the uſe of the State. It contains a ſtatement of facts which they deſigned for the conſideration of the Legiſlature; and which in my opinion it is proper for me to commnnicate to you. JOHN JAY.

*Albany, January 7, 1799.*

The letter which accompanied his Excellency's meſſage was alſo read; Thereupon,

*Ordered*, That the meſſage of his Excellency the Governor, together with the letter accompanying the ſame, be committed to a committee of the whole Houſe.

A petition of Martin Langdon and others, ſtating that they have become purchaſers of, and are actual ſettlers on, part of the late Oneida Reſervation, and praying that the time limited by law for the payment of intereſt on their ſaid purchaſes may be prolonged, was read, and referred to Mr. Oſtrom, Mr. Veeder and Mr. Teed.

A petition of John Manchester and others, inhabitants of New-Peterſborough, in the county of Chenango, reſiding on a part of the late Oneida Reſervation, was read, and referred to Mr. King, Mr. Joſhua Smith and Mr. Micheau.

Two ſeveral meſſages from the Hon. the Senate, delivered by Mr. Bronk and Mr. Clark, with the bills therein reſpectively mentioned, were read, that the Senate have paſſed the bill entitled "An act relative to Ram Iſland, in the county of Suffolk," and the bill entitled "An act further to alter the charter of the city of Albany and for other purpoſes," to which they requeſt the concurrence of this Houſe.

The ſaid bills were ſeverally read the firſt time, and ordered a ſecond reading.

By unanimous consent, the bill entitled "An act concerning Ram Island, in the county of Suffolk," was read the second time and committed to a committee of the whole House.

Then the House resolved itself into a committee of the whole House on the said last mentioned bill, and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Burling from the said committee reported, that the committee had gone through the bill, and agreed to the same without amendment, which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read and agreed to by the House, and the bill ordered a third reading.

Then the House adjourned until eleven o'clock to-morrow morning.

TUESDAY, *eleven o'clock, A. M. January 8th*, 1799.

The bill entitled "An act relative to Ram Island, in the county of Suffolk," was read the third time and passed.

*Ordered*, That Mr. Bill and Mr. Blake deliver the bill to the Hon. the Senate, and inform them that this House have passed the same without amendment.

The bill entitled "An act further to alter the charter of the city of Albany and for other purposes," was read the second time, and committed to a committee of the whole House.

Mr. Root from the committee to whom was referred the petition of Gabriel North and others, reported, that the facts stated in the said petition are strictly true, and that in the opinion of the committee the prayer thereof ought to be granted; that the committee have prepared a bill for that purpose and directed him to move for leave to bring in the same; leave being granted,

Mr. Root brought in the said bill entitled "An act to annex a part of the town of Colchester, in the county of Delaware, to the town of Walton, in said county," which was read the first time, and ordered a second reading.

Mr. Hopkins, pursuant to notice by him heretofore given for that purpose, moved for, and obtained leave, to bring in a bill entitled "An act to amend an act entitled "An act allowing an annual salary to the Secretary of this State," which was read the first time, and ordered a second reading.

Mr. Johnson from the committee, to whom was referred the petition of Rhoda and Billy Trowbridge, reported, that the committee after making diligent inquiry into the state and circumstances of the petitioners, do find that Billy Trowbridge had in his life time effected a settlement in the town of Solon, in the county of Onondaga; that previous to his removing his family up from Dutchess county, he purchased two hundred acres of land in the town of Ovid, in the county aforesaid; that the said Billy Trowbridge when moving his family about one year past, to the town of Solon, died on the road to said place. That the petitioner, Rhoda Trowbridge, did administer to the estate of the said Billy Trowbridge, and found the said estate involved in debt; that the said administratrix was unable to pay the said debts unless she would sell all the goods and chattels thereunto belonging, which at this time would disenable her to support in that back country her family of small children; and unless the said administratrix is empowered by law to sell the above mentioned two hundred acres of land in the town of Ovid, being part of lot No. 68, it will be highly detrimental to the interest and welfare of the said estate, the administratrix and her family.

Therefore the committee are of opinion that the prayer of the petitioners ought to be granted, and have prepared a bill for that purpose, and directed him to ask leave to bring in the same.

Mr. Speaker put the question whether the House did concur with the committee in their said report, and it passed in the negative: Thereupon,

*Resolved*, That this House do not concur with the committee in their said report.

Mr. M'Neil from the committee of the whole House, on the resolution from the Hon. the Senate, relative to proposed amendments to the constitution of the United States, and to whom were also referred the message of his Excellency the Governor of the 4th instant, and the papers accompanying the same, reported, that after the said resolution had been read in the committee, Mr. Gray made a motion that the committee should agree to a resolution of concurrence with the Hon. the Senate in

heir ſaid reſolution; That debates were had thereon, and the queſtion being put n the motion of Mr. Gray, it paſſed in the negative.

The yeas and nays being called for by Mr. Fairlie, ſeconded by Mr. Robins, were as follows, viz.

*For the Negative.*

| | | | |
|---|---|---|---|
| Mr. Adams | Mr. Gorl | Mr. Lefevre | Mr. H. Smith |
| Mr. Adgate | Mr. De Witt | Mr. M'Intyre | Mr. John Smith |
| Mr. Adriance | Mr. Dodge | Mr. Moore | Mr. Joſhua Smith |
| Mr. Arcularius | Mr. Fairlie | Mr. E. Mott | Mr. Snell |
| Mr. Baldwin | Mr. Furman | Mr. Nexen | Mr. Storm |
| Mr. Blake | Mr. German | Mr. Pauling | Mr. Swartwout |
| Mr. Boyd | Mr. E. Gilbert | Mr. Philips | Mr. Tabor |
| Mr. Bruyn | Mr. Hall | Mr. Prevoſt | Mr. S. Ten Broeck |
| Mr. Burling | Mr. Heermance | Mr. Reynolds | Mr. Thomas |
| Mr. Burr | Mr. Hogeboom | Mr. Robins | Mr. Van Benthuyſen |
| Mr. Burt | Mr. Honeywell | Mr. Root | Mr. Van Pendleſer |
| Mr. Campbell | Mr. Hopkins | Mr. Savage | Mr. Veeder |
| Mr. Carpenter | Mr. Hunt | Mr. Schaneman | Mr. Waret |
| Mr. Clark | Mr. Johnſon | Mr. Skillmore | Mr. Weſcott |
| Mr. Coe | Mr. Landon | Mr. A. Smith | Mr. Woll 60 |
| Mr. Comſtock | Mr. Lee | | |

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Mr. Abeel | Mr. Fort | Mr. J. Lanſingh | Mr. Richardſon |
| Mr. Barker | Mr. Frenchi | Mr. Lott | Mr. Schermerhorn |
| Mr. Bill | Mr. Gates | Mr. C. M'Kinſtry | Mr. Schuyler |
| Mr. Butler | Mr. B. Gilbert | Mr. J. M'Kinſtry | Mr. Stuarteſt |
| Mr. Clift | Mr. Gray | Mr. Micheau | Mr. John M. Smith |
| Mr. Crocker | Mr. Henry | Mr. W. Mott | Mr. Philip Smith |
| Mr. Cummings | Mr. Hoag | Mr. Oſtrom | Mr. Speaker |
| Mr. Deitz | Mr. Kane | Mr. Paine | Mr. P. Ten Broeck |
| Mr. Dewey | Mr. King | Mr. Pearce | Mr. Voorhis 39 |
| Mr. Doty | Mr. C. Lanſingh | Mr. Peck | |

Which he was directed to report to the Houſe, and he read the report in his place, and delivered the ſame in at the table where it was again read and agreed to by the Houſe; thereupon,

*Reſolved*, That this Houſe do not concur with the Hon. the Senate in their ſaid reſolution.

Mr. Fairlie, purſuant to notice by him for that purpoſe heretofore given, moved for and obtained leave to bring in a bill entitled "An act relative to the Court of Chancery and the Supreme Court of this State," which was read the firſt time and ordered a ſecond reading.

Then the Houſe adjourned untill eleven o'clock to-morrow morning.

WEDNESDAY, *eleven o'clock, A. M. January 9th*, 1799.

The minutes of this Houſe of yeſterday having been read, Mr. Comſtock made a motion that the ſame ſhould be altered by inſerting the motion made yeſterday in the committee of the whole Houſe, by Mr. Burr, ſeconded by Mr. Robins, that the following recital ſhould precede the reſolution of non-concurrence in the reſolution of the Hon. the Senate, relative to the propoſed amendments to the conſtitution of the United States, viz.

Whereas the reaſons whereon the ſaid reſolutions are predicated, appear to be unfounded, and are contradicted by the experience of all countries, and particularly by that of the United States; native citizens being leſs the objects of ſeverity and ſuſpicion, and hence among the inſtances of treachery under foreign influence which have diſgraced the annals of the United States, natives have been excluſively the ſubjects of corruption.

And whereas the ſaid reſolutions do propoſe to diſfranchiſe in a degree, all perſons who have emigrated to the United States ſince the declaration of our independence, including many of our moſt uſeful and valuable citizens, and it would in the opinion of this Houſe be as contrary to ſound policy and good faith as to the principles of our government, to diveſt by a retroſpective act, any deſcription of citizens of a privilege granted and ſecured to them by the conſtitution of the United States.

And whereas the many and important offices both civil and military held, and ably and faithfully exerciſed, as well during the late war and at the preſent moment, as at every intervening period, by natives of foreign countries, do contradict the calumnies aimed at the characters of our adopted citizens, and diſcredit the apprehenſions affected to be entertained of their fidelity.

And whereas the ſaid reſolutions if even founded in reaſon or warranted by policy, do not appear to be co-extenſive with the danger ſurmiſed, or calculated to attain the end propoſed: Becauſe,

1ſtly. Thoſe citizens who joined the enemies of their country, during our conteſt for independence, from whoſe conduct, if from that of any deſcription of citizens, the introduction of foreign influence might moſt reaſonably be apprehended, but who are nevertheleſs by the wiſe and liberal policy of our laws admitted to the unqualified participation of the rights of citizens, are not by the ſaid reſolutions propoſed to be excluded from a ſeat in our national councils: And,

2dly. Becauſe neither the deſcription of citizens laſt mentioned nor any adopted citizens are by the ſaid reſolutions propoſed to be excluded from any office civil or military under the government of the United States; although in ſuch ſtations a corrupt citizen might act under foreign influence with more ſecrecy and ſecurity, and more dangerous effect than as a member of the national councils, expoſed to the jealous obſervation of numerous and enlightened colleagues, and where individual acts are controuled by the wiſdom and virtue of the majority.

And whereas the ſaid reſolutions are founded on a preſumption that foreign influence is only, or moſt to be apprehended through the medium of elections by the people, a preſumption which is not warranted by any fact, and is uniformly contradicted by our own experience; the examples of corruption produced by foreign influence teaching us that confidence may in this particular more juſtly be repoſed in the diſcernment of the people, than in that of its government.

And whereas the diſtruſt which attaches to the character of a ſtranger and a foreigner appear, under the limitations preſcribed by the conſtitution of the United States, to guard effectually againſt the too haſty election of adopted citizens to the national councils, and the people of a free and enlightened country ought not to be reſtrained in the choice of their agents and repreſentatives, except for cogent and obvious reaſons, and no ſuch reaſons appearing to this Houſe for the reſtraint contained in the ſaid reſolutions.

Mr. Speaker put the queſtion, whether the Houſe did agree to the motion of Mr. Comſtock, and it paſſed in the negative.

The bill entitled "An act to annex part of the town of Colcheſter, in the county of Delaware, to the town of Walton, in ſaid county;" the bill entitled "An act relative to the court of chancery and the ſupreme court of this ſtate," and the bill entitled "An act to amend an act entitled "an act allowing an annual ſalary to the ſecretary of this ſtate," were ſeverally read the ſecond time and committed to a committee of the whole Houſe.

A petition of James Pine, of the town of Rye, in the county of Weſtcheſter, relative to the forfeited eſtate of Thomas Merrit, was read and referred to the Attorney-General.

A petition of Obadiah Knapp and others, of the county of Waſhington, praying grants of vacant lands in the ſaid county, was read and referred to Mr. Crocker, Mr. Hogeboom and Mr. De Witt.

A petition of the miniſter, elders and deacons of the reformed Proteſtant Dutch churches of the towns of Middleburgh and Schoharrie, praying that a law may be paſſed to enable them to make partition of a certain tract of land, held between the ſaid congregations in common, was read and referred to Mr. Swart, Mr. Schuyler and Mr. John Smith.

A petition of Jeſſe Cromwell and others, praying grants of vacant lands in the town of Thurman, in the county of Waſhington, was read and referred to the Surveyor-General.

A petition of Ralph Wilſon and others, inhabitants reſiding between the Seneca and Cayuga lakes, in the county of Onondaga, praying to be erected into a ſeparate county, was read and referred to Mr. Richardſon, Mr. Paine and Mr. King.

A petition of Peter Noſtrandt, adminiſtrator of the eſtate of Luke Noſtrandt, ceaſed, praying compenſation for the ſervices of the ſaid Luke Noſtrandt, whilſt oldier in the late American army; a petition of James Jourdan, praying a gra- ty in lands for his ſervices as a private in Col. Sheldon's regiment of cavalry ring the late war; and the ſeveral petitions of Brockholſt Livingſton, John eſe, and Catharine Tillinghaſt, widow of Charles Tillinghaſt, deceaſed, alſo aying grants of bounty lands, were ſeverally read and referred to Mr. Fairlie, r. Clift and Mr. Pauling.

*Ordered*, That Mr. Shurtleff and Mr. Hopkins be added to the ſaid laſt men- ned committee.

A petition of Henry Davis and others, praying that a law may be paſſed for the lief of debtors with reſpect to the impriſonment of their perſons, was read and mmitted to the committee of the whole Houſe when on the bill entitled "An t for the benefit of inſolvent debtors and their creditors."

Mr. King, purſuant to leave heretofore given, brought in a bill entitled "An t for the relief of Charles Leggett, Nehemiah Mead and others," which was read e firſt time and ordered a ſecond reading.

Mr. Burr, purſuant to notice by him for that purpoſe heretofore given, moved r and obtained leave to bring in a bill entitled "An act concerning writs of cer- orari, and to repeal the ninth ſection of the act entitled "An act concerning urts of oyer and terminer and gaol delivery," which was read the firſt time and dered a ſecond reading.

Mr. Storm, purſuant to notice by him for that purpoſe heretofore given, moved r and obtained leave to bring in a bill entitled "An act for the inſpection of ſh," which was read the firſt time and ordered a ſecond reading.

*Reſolved*, That a committee be appointed to enquire if any, and what amend- ents are neceſſary to be made in the act for the ſpeedy recovery of debts to the alue of ten pounds, and to report thereon by bill or otherwiſe, and that Mr. hilip Smith, Mr. Root, and Mr. Pearce be of the ſaid committee.

Then the Houſe reſolved itſelf into a committee of the whole Houſe on the bill ntitled "An act further to alter the charter of the city of Albany, and for other urpoſes," and after ſome time ſpent thereon, Mr. Speaker reſumed the chair, and Mr. Shurtleff, from the ſaid committee, reported progreſs and obtained leave to t again.

Mr. Dewey from the committee of the whole Houſe on the bill entitled "An t for the benefit of inſolvent debtors and their creditors," reported, that after the id bill had been read in the committee, the firſt paragraph of the firſt enacting auſe thereof was again read, and is in the words following, viz.

"Be it enacted by the people of the State of New-York, repreſented in Senate nd Aſſembly, That it ſhall be lawful for any inſolvent debtor, who now is, or reafter ſhall be impriſoned on any civil proceſs, iſſuing out of any court within nd under the authority of this State, or who now is or hereafter may be implead- d in any civil action, or proſecuted in any ſuch court for debt, or on contract xpreſs or implied, to preſent a petiton to any one of the juſtices of the ſupreme ourt, or to any judge of the court of common pleas within their reſpective coun- es, or to the recorder of the city of New-York, or of the city of Albany, praying hat the eſtate of ſuch perſon ſo petitioning may be aſſigned, and he or ſhe be diſ- harged according to this act." That Mr. Swartwout made a motion that the com- ittee ſhould agree to expunge the words "now is or" in the 2d line, and to in- ert in the 4th line, after the word "ſtate," "for any debt contracted after the ay of next." That debates were had thereon, and the queſtion being ut, it paſſed in the negative in the manner following, viz.

*For the Negative.*

| | | | |
|---|---|---|---|
| Mr. Adams | Mr. Cummings | Mr. Johnſon | Mr. Richardſon |
| Mr. Adgate | Mr. De Witt | Mr. Lee | Mr. Root |
| Mr. Adriance | Mr. Dodge | Mr. Lefevre | Mr. Savage |
| Mr. Baldwin | Mr. Doty | Mr. C. M'Kinſtry | Mr. Schermerhorn |
| Mr. Barker | Mr. French | Mr. J. M'Kinſtry | Mr. Shurtleff |
| Mr. Bill | Mr. Furman | Mr. M'Neil | Mr. A. Smith |
| Mr. Blake | Mr. Gates | Mr. Micheau | Mr. H. Smith |
| Mr. Burr | Mr. B. Gilbert | Mr. Moore | Mr. John Smith |
| Mr. Burt | Mr. E. Gilbert | Mr. E. Mott | Mr. P. Ten Broeck |
| Mr. Butler | Mr. Hall | Mr. Oſtrom | Mr. S. Ten Broeck |
| Mr. Campbell | Mr. Heermance | Mr. Paine | Mr. Thomas |
| Mr. Carpenter | Mr. Henry | Mr. Pauling | Mr. Van Renſelaer |
| Mr. Clift | Mr. Hogeboom | Mr. Pearce | Mr. Veeder |
| Mr. Coe | Mr. Honeywell | Mr. Philips | Mr. Waren |
| Mr. Comſtock | Mr. Hopkins | Mr. Prevoſt | Mr. Weſtcott |
| Mr. Crocker | | | |

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Mr. Abeel | Mr. Hoag | Mr. Peck | Mr. Speaker |
| Mr. Arcularius | Mr. Hunt | Mr. Reynolds | Mr. Storm |
| Mr. Boyd | Mr. Kane | Mr. Robins | Mr. Swart |
| Mr. Bruyn | Mr. Landon | Mr. Schuneman | Mr. Swartwout |
| Mr. Clark | Mr. C. Lanſingh | Mr. Schuyler | Mr. Tabor |
| Mr. Deitz | Mr. J. Lanſingh | Mr. Skidmore | Mr. Teed |
| Mr. Fairlie | Mr. Lott | Mr. John M. Smith | Mr. Van Benthuyſen |
| Mr. Fort | Mr. M'Intyre | Mr. Joſhua Smith | Mr. Voorhis |
| Mr. German | Mr. W. Mott | Mr. Philip Smith | Mr. Wolfe |
| Mr. Gray | Mr. Nexen | Mr. Snell | |

Mr. Dewey reported, further progreſs, and obtained leave to ſit again.

Then the Houſe adjourned until eleven o'clock to-morrow morning.

THURSDAY, *eleven o'clock, A. M. January 10th*, 1799.

The bill entitled "An act for the inſpection of Fiſh," the bill entitled "An act for the relief of Charles Leggett, Nehemiah Mead and others," and the bill entitled "An act concerning writs of certiorari, and to repeal the 9th ſection of the act entitled "An act concerning courts of oyer and terminer and gaol delivery," were ſeverally read the ſecond time and committed to a committee of the whole Houſe.

A meſſage from the Hon. the Senate, delivered by Mr. Clark and Mr. Cantine, with the bill therein mentioned, was read, that the Senate have paſſed the bill entitled "An act to amend an act entitled "An act to aſcertain weights and meaſures within this ſtate," to which they requeſt the concurrence of this Houſe. The ſaid bill was read the firſt time and ordered a ſecond reading.

A remonſtrance of Barent and John R. Bleecker and others, merchants and inhabitants of the city of Albany, remonſtrating againſt the paſſing of the bill entitled "An act for the benefit of inſolvent debtors and their creditors," was read, and committed to a committee of the whole Houſe when on the ſaid bill.

A petition of William Stephens and others, freeholders and inhabitants of the town of Marcellus, in the county of Onondaga, praying that part of the ſaid town may be erected into a ſeparate town, together with the papers accompanying the ſame, was read and referred to Mr. Richardſon, Mr. Paine and Mr. German.

A petition of Edward Burhans and others, and a petition of Jonas Smith and others, inhabitants reſiding within the limits of the Paltz patent, in the county of Ulſter, praying to be annexed to the town of Hurley in the ſaid county, were ſeverally read and referred to the members attending this Houſe from the county of Ulſter.

Mr. Speaker laid before the Houſe ſundry returns of ſchools within this ſtate.

*Ordered*, That the ſaid returns lay on the table for the inſpection of the members.

Mr. Speaker laid before the Houſe a report of the Adjutant-General, made in purſuance of a reſolution of this Houſe of the 15th Auguſt laſt.

The ſame was read, and is in the words following, viz.

## To the Honorable the HOUSE of ASSEMBLY.

Gentlemen,

THE Adjutant-General, in compliance with the requeſt of the Houſe of Aſſembly, dated Auguſt 15, 1798, preſents the following *Syſtem for regulating the Militia of this State*, accompanied with a draft of a bill for carrying the ſame into operation.

Immediately after the reſolution of the Houſe of Aſſembly, the Adjutant-General commenced the active duties of his office, and did not finiſh the inſpections until ſome time in November. He never could ſet ſeriouſly to work on this important buſineſs till the firſt of December. He could have wiſhed to have had more time to have reflected on this difficult ſubject; to have conſulted military men; to have viewed the ſubject with more leiſure; but rather than diſappoint the expectation of the Houſe, and the mlitiary gentlemen of the ſtate, he preſents, with extreme diffidence, the draft of a Militia Bill, and relies on the indulgence and candor of the Houſe.

The American republics have removed many of the prejudices of the old world, and have as yet, in their civil inſtitutions, reconciled theory and practice.—It has been a ſtale objection to the modern republican ſyſtem, that it is not calculated for military protection—A government which is weak in this eſſential point muſt fail, and mankind will eaſily be brought to renounce a ſyſtem, which cannot enſure tranquility, and protect the commonwealth. To avoid an evil of ſuch magnitude, and to recommend the republican ſyſtem to mankind, it ſhould be the ſtudy of the American republics, to form ſuch a ſyſtem as will effectually and harmoniouſly combine the civil and military duties. Republics are too apt to neglect military inſtitutions, relying on the enthuſiaſm and energy which they have diſplayed when moved by the impulſe of ſome great paſſion;—this enthuſiaſm and paſſion is precarious—and no prudent ſtateſman would rely on the duration and continued energy on the patriotic paſſions.

If this ſyſtem is rejected, another and another ſhould be tried—and every plauſible ſyſtem deſerves a candid examination. All that is left for ſtate legiſlatures to do, is to deviſe efficacious means to carry the law of Congreſs into execution; ſtate officers muſt conform their arrangements to this law, and muſt reject all improvements which counteract this ſyſtem. This federal obligation has impoſed fetters which have been experienced in the formation of the bill reported.

The conſtitution has given to Congreſs the prerogative of organizing the militia of the United States, which is wiſely placed; and though trifling inconveniencies may be experienced, yet we have cogent reaſons to venerate the conſtitution, and ſhould, as members of the union, conſider the minuteſt deviation from their conſtitutional laws, as political ſacrilege.

The Adjutant-General ſolicits the indulgence and patience of the Houſe of Aſſembly, while he makes a few general obſervations on the preſent law and the bill reported.

The officers under the preſent ſyſtem complain that the mode of enrolment is a very burthenſome duty, and liable to great errors; that it is impoſſible for them to know all the ſtrangers who come to reſide in their reſpective beats, and that they could ſcarcely know all the inhabitants. The Adjutant-General preſumes that the mode of enrolment preſcribed in the bill reported will make this duty eaſier to the officers and more certain in its operation. All citizens and ſtrangers are obliged, under a penalty, to enrol themſelves, and the officers receiving a proportion of the fines, will ſtimulate them to proſecute for the ſame.

The officers perform this duty with reluctance, and want energy. The civil laws ſometimes encourage the proſecution of offences by rewarding the proſecutor: the popular appropriation of the fines to the muſic of the companies; the ambition of commanding reſpectable companies, are additional motives.

Strangers often, under the preſent law, in the city of New-York, by frequently changing their reſidence, avoid all military duty, which this bill endeavors to prevent.

The officers under the preſent ſyſtem wanted ſome directions as to the terms of reſidence previous to enrolment, and whether citizens were obliged to attend parade before the law obliged them equip.

There has been much deception in the militia reſpecting the age of citizens; therefore, making falſe reports penal, will be uſeful.

Arms and equipments have been frequently returned in different regiments, which has made the returns more flattering in this reſpect than they deſerved, and ſome reſtrictions ſeem neceſſary. Government ſhould not avoid the truth, though attended with ſuch painful circumſtances as to produce deſpair.

In the preſent law, the militia were ordered to be arranged into four diviſions, comprehending the four great diſtricts, which have increaſed ſo much in populaton that a fifth diviſion ſeems neceſſary. The weſtern diviſion is at preſent unwieldy, and not eaſily commanded by reaſon of its extent and difficulties of communication.

The various commands of irregular troops ſhould be ſmaller, more compact, and more under the immediate knowledge of their reſpective commandants, than is cuſtomary in regular eſtabliſhments.

The law of Congreſs directs an enumeration of regiments in each ſtate, and has given to the number of the regiments rank, which is rather unprecedented: this circumſtance has embarraſſed the enumeration, as it was difficult, from our imperfect military records, to aſcertain the age of regiments. The Adjutant-General, therefore, has propoſed a geographical enumeration; which every day it is neglected will be attended with more difficuly.

There are many uſeful circumſtances attending an enumeration of corps.

If the militia is organized for the probability of actual war, the appointment of ſome military gentleman for quarter maſter general would be uſeful; and a military character of this kind might eſſentially ſerve the country in its firſt military arrangements.

A phyſician general would alſo be a very uſeful appointment, to arrange the hoſpital department; and government ſhewing a ſolicitude on this ſubject would remove the reluctance of our citizens to the military ſervice.

The diſeaſes of a camp are very alarming, and liberal and benevolent inſtitutions for the care and comfort of the ſick and wounded, would abate the horrors of a military life.

The preſent law of the ſtate impoſes on the field officers the burden of procuring regimental colours; it directs the fines to be appropriated to this purpoſe, which have never been ſufficient, owing to the defect of the law. A ſtate, rich in funds, and a lover of republican inſtitutions, has never given a ſuit of colours to a regiment of militia. The officers of the militia ſhould be releaſed from all ſuperfluous expence, as the neceſſary expences incident to military commiſſions, are very heavy to men of moderate property; and this military ſervice may be conſidered the partial tax of patriotiſm.

If military muſic is to be preſerved in the ſtate, it will require the liberality of government. The effects of muſic are important and incalculable; the bill recommends theſe muſical corps to the patronage of government.

There are ſuch variations in the population of regimental and brigade diſtricts, that their reſpective commandants ſhould be authoriſed, whenever they ſhall conceive it expedient, to equaliſe ſuch corps, to alter the boundaries of ſuch corps; only care ſhould be taken to preſerve the rights of officers reduced by ſuch arrangements. An officer is not fit to command a brigade or regiment, if he cannot be truſted with its interior police.

Regimental officers muſt reſide in their reſpective beats; and therefore promotion muſt be by companies and regiments. This is not the caſe in the cities of New-York and Albany, which cities have indulged in practices which have deviated from the general uſage of the ſtate: no practices ſhould be permitted which violate the principles of uniformity; when the officers are frequently transferred from regiments and companies, they lore *l'eſprit du corps*, which military policy has always encouraged.

In the militia, it would be uſeful to promote mutual knowledge between the officers and privates.

The preſent law does not provide promotion for the regimental ſtaff, and this claſs of officers have always been neglected. In regular regiments theſe officers are taken from the regimental line, but in the militia, no officer can well be ſpared

om the company, and they are provided for in the bill reported, in a manner hich it is preſumed will give ſatisfation. The adjutant is a moſt uſeful officer in regiment, and deſerves every encouragement. The adjutant not taking com- and of a company when promoted, is a novelty which requires explanation. In e militia the adjutant or regimental inſpector cannot be well ſpared from field nties, after he has become maſter of them by ſtudy and practice, to take com- and of a company, which requires leſs military knowledge and dexterity. There a connexion between the duties of adjutant and major, which makes his pro- otion to that grade eaſy and natural. When the regiments are commanded by fficers who have been adjutants, and have paſſed the intermediate grades, we may ave hopes of the militia.

The inſpectors of brigades have, by the preſent law, no hopes of promotion, hich has diſcouraged theſe uſeful officers, and made them reluctant to accept eſe commiſſions. If the ſyſtem propoſed in this bill is adopted, they will feel nimated by their proſpect, and this office will then become the preparatory ſtep the command of the brigade, and the nurſery of general officers. Can any fficer preſume upon the command of a brigade, with ſuch proſpects of ſucceſs, thoſe offiers learned in all military details?

The Adjutant-General is alſo ſtationary as to promotion, and with mortification e has viewed the promotion of junior officers. This office may be made more eful and important, and ſhould become the military office of the ſtate.

The military buſineſs of the State has been interrupted and embarraſſed by the penſiveneſs of poſtage; the Adjutant-General ſubmits to the conſideration of e Legiſlature, whether the expenſes of military poſtage, ſhould not be allowed the State.

The propoſed bill contemplates the inſtitution of a board of officers, in all caſes controverſy, relative to rank, to report the facts to the council of appointment. heſe boards have been in the habit of deciding on theſe facts; they have been nacquainted with the principles relative to this delicate ſubject; they have been fluenced by party, by paſſion, and by the ſtrifes of neighborhood; and their de- ſions have been irregular, inconſiſtent, and without uniformity. If there is one ourt to decide theſe delicate points, it is expected that its deciſions will diſplay nowledge, juſtice and uniformity.

The propoſed bill is intended to cloſe a ſource of controverſy, by giving to all e citizens who come to reſide in our ſtate the rank derived from their commiſſions their own ſtate. We are a confederation of republics, and the commiſſions of e citizens of each ſtate, ſhould be honored and reſpected by thoſe of another ſtate.

The people who come to reſide in our ſtate, are moſtly from the eaſtern ſtates, ho have military pride, and conſider the military ſyſtem not only uſeful, but onorable; it would be politic for this ſtate to diſplay more than juſtice to this ilitary and ambitious people.

The bill propoſes a parade for non-commiſſioned officers, who are in all ſervices important claſs of officers. They have never been conſidered in ſo reſpectable light as they ſhould be in the militia, and to reſcue them from this preſent de- aded ſtate, a parade is propoſed for their particular inſtruction. Theſe parades ill create a ſpirit of emulation, which will tend to improve theſe uſeful corps.

The bill alſo propoſes to diſtinguiſh the non-commiſſioned officers from privates a cheap uniform. The non-commiſſioned officer who will refuſe a warrant, ther than get a uniform, is not worthy of any diſtinction. A diſtinctive dreſs ill give them more importance in the eye of the ſoldier, and will be uſeful on the arade, as military buſineſs is much embarraſſed by not being able to diſtinguiſh eſe officers. To make them think well of themſelves and make them attentive their military duties, an oath of office is preſcribed.

The bill alſo propoſes a parade for commiſſioned officers, and their inſtruction ould be the primary principle of every military ſyſtem. When the military force a country is conducted by officers uninſtructed, what can be the expectations of overnment? If the officers are inſtructed, the people in a war that is popular, ould ſoon learn the practical duties of the profeſſion. One parade in a year will ve a great effect on officers, who would ſtudy in that caſe and apply themſelves, their aukwardneſs would be publicly expoſed.

The bill propoſes to parade by battalion, or companies when it is inconvenient to parade by battalion, as very little advantage was derived from the old ſyſtem of parading by companies. When more companies parade, it will admit of more evolutions, and excite emulation.

The bill propoſes a regimental inſpector, whoſe duty it will be to inſpect and inſtruct officers, non-commiſſioned officers and privates; this is the loweſt grade of inſpectors, and fixes three degrees of inſpection. The duties of the regimental inſpectors are important, and it will be neceſſary to allow them a liberal compenſation to induce them to qualify themſelves for the performance of duties numerous and complicated: It would be a political phenomenon to ſee government wiſhing to create a military force for its protection without any expenſe.

The inſpector is made ſole judge of the excuſe of officers, when they parade for inſtruction. Officers it is preſumed will never fail to attend thoſe uſeful parades; and if they avoid this duty, they deſerve a ſummary mode of puniſhment. Some of the late laws directed that the inſpectors of brigade ſhould be paid from the produce of the fines, which has proved deluſive, therefore more certain means of compenſation are propoſed.

The bill propoſes to puniſh thoſe who ſhall attempt to reſcue thoſe placed under guard. This has been attempted, and the officers ſaw their authority deſpiſed and their commiſſions without energy.

The bill propoſes ſome relief to the poor, who are not able to procure the equipments which the law requires. To execute the law with ſeverity on thoſe unfortunate members of ſociety, would be cruelty and oppreſſion. Theſe people in caſe of a war, would generally enliſt, and the government that is liberal, will generally command their ſervices. It ſhould be the firſt object of government to form the ſubſtantial yeomanry to a ſervice, on which the ſecurity of the laws and government immediately depend.

The bill propoſes to puniſh a licentious practice which prevails in the militia, and has extenſive miſchief: It has been too cuſtomary in the country for the privates to ſquib the officers when they are diſcontented. This is a contemptuous cuſtom, which brings on the officer deriſion and ſcorn; the unſucceſsful candidate in military elections often promotes this act of inſubordination, and the officers appointed by the council of appointment, contrary to the wiſhes of the company, often receive this licentious mark of their diſpleaſure.

The bill propoſes to check the ſale of ardent liquors on parade, which often diſturbs our military buſineſs. The fields are covered with ſutlers, who ſell liquors without a licenſe, and take every advantage of the men, by tempting them into expenſe and intemperance.

The bill directs all regiments to parade in encloſed grounds, which can be commanded; when the parades are on the roads they interfere with the travellers, and the ſentinels do their duty with timidity.

The bill propoſes to amend the preſent ſyſtem, relative to the light infantry, which corps have never been ſucceeded. It directs inliſtments for a certain term of years, and ſubſcription to certain obligations; it gives a certain time to thoſe who enliſt to procure the equipments and uniform which the law directs, and if they fail, they muſt return to their reſpective beat companies. Theſe companies have often injured the battalion companies by there being no check to their enliſtments. Theſe companies often injure the authority of the battalion officers, who are often reſtrained from exerting their authority, leſt the men ſhould fly to theſe *aſylums of refuge*, theſe *aſylums of the diſcontented*: Thoſe who depend on enliſtments to make up their reſpective companies, endeavor to eſtabliſh the character of indulgent officers; and I am ſorry to report, that theſe companies, in general, have few marks of ſuperiority. Theſe obſervations do not apply to the light corps in New-York, which have lately diſplayed much military ardor, which might probably be perpetuated by indulging them with a diſtinct arrangement. Theſe volunteer companies ought by no means to be kept up, if they do not dreſs and equip as the law directs. If they appeared in uniform and equipped, they would be the ornament of their reſpective regiments, and the pride of the ſtate; the battalion officers would then cheerfully ſurrender their men, if they ſaw the public ſervice

moted. As the commandant has the power, by the bill, to diſband the com-
y, the officers will act under the terror of being diſbanded, and would then only
iſt ſuch men as would probably uniform and equip, which would ſoon give a
racter to theſe military aſſociations. Theſe companies have generally too ex-
ſive a uniform; and a dreſs, cheaper, lighter and more appropriate to the ſer-
e, would be uſeful.

The bill propoſes that there ſhould be no independent corps, which always cre-
s jealouſies and controverſies, but that every corps ſhould be raiſed in and
ached to ſome regiment.

The bill propoſes a court martial for each battalion, which would be more con-
nient than regimental courts martial.

The warning the numerous delinquents is a duty ſo arduous, that it was difficult
get any non-commiſſioned officer to perform it with fidelity; the bill propoſes to
ve notice of the ſetting of the court on the parade, where every delinquent ſhall
ordered to attend: the abſent can eaſily, by enquiry, procure knowledge of ſuch
eeting. The mode preſcribed is ſummary, and not embarraſſed with forms of
lay, which tend to imbecility in executive meaſures.

The bill propoſes to double the fine on freeholders, who have no excuſe from
overty, for not being equipped: their intereſt in the national protection is greater
proportion to their enjoyment of property; the example of negligence in them
s a miſchievous influence, and when men of property openly diſobey the laws,
vil order and government becomes endangered. It is an armed militia of free-
olders and a ſubſtantial yeomanry which muſt give ſecurity to government.

The bill propoſes a double fine on the citizens of New-York; where money has
ot the value it has in the country; where the ſituation of people are unequal;
here the people have generally a diſinclination to the militia ſervice. The mi-
tary ſyſtem ſhould have the moſt energy in the city, which is expoſed to maritime
tacks, and to thoſe violent paſſions which often diſturb the peace of ſociety.

The bill propoſes a double fine on ſpectators at parades, and thoſe who have
rms at home, and do not bring them to the parade.

It ſeems an inſult to thoſe who are ſuffering heat and fatigue in the ranks, to ſee
heir neighbours indulging themſelves as ſpectators. There are many who inſult
heir officers and the government by coming to parade without arms and equip-
ents, which they have at home, and which they have too much indolence to bring
ith them; thoſe who add inſult to their delinquencies, deſerve additional puniſh-
ent.

The bill propoſes that the ſtate ſhould eſtabliſh magazines of proved arms and
quipments, and ſhould ſell them at firſt coſt with charges, to the inhabitants; the
ilitary laws have been executed with a juſtifiable tenderneſs on account of the dif-
iculty of procuring arms; if theſe magazines were eſtabliſhed, the laws might be
xecuted with deciſion. If the militia buy their arms from merchants, they muſt
ay them great profits; the merchants are not judges of arms, and often impoſe
nſufficient arms on the people. When the country relies on the militia for protec-
ion, it certainly behoves government to ſee that they are provided with arms, and
uch as have the ſtate ſtamp.

The bill differs eſſentially from the preſent law, which employs the civil magiſ-
rate in the collection of fines; the fear of the civil magiſtrate is ſuperior to the
ear of the military officer, who is, probably, dependant on the company for his
election; the civil power being introduced into the military ſyſtem, will be more
greeable to the republican ſyſtem than courts martial; this ſtate has been unſuc-
ceſsful in their boards and courts martial, which have never executed the law; all
he fines collected in any one regiment, ſince the revolution, would not be ſufficient
o purchaſe a ſuit of colours: theſe courts are generally ignorant of the forms
neceſſary for levying and collecting the fines, and they have been proſecuted by at-
ornies who have officiouſly interfered between theſe courts and the people; this
circumſtance has induced the courts to forgive, rather than puniſh and run the riſk
of proſecution; they conſidered that they were more ſecure in doing nothing than
in executing the law. Theſe courts have generally executed the law ſo far as to pay
their own expences, and the regiments have never received any benefit from the fines.

In the ſyſtem propoſed, the officers are intereſted in the proſecution; the magiſtrates will proſecute becauſe they are in the habits of buſineſs, and are bound to execute the laws; the magiſtrates are learned and practiſed in all the forms of civil proceſs, and no advantage can probably be taken of their errors; the fines are to go after certain deductions, to the treaſury of the ſtate, and then government will know how the laws are executed.

The fines under the preſent ſyſtem were not only ineffectual, as it relates to diſcipline, but when collected, there was no reſponſibility. It would be politic in the ſtate to aſſume all the expenſes of the militia, and not to leave the bulwark of our country to the precarious ſupport of fines. If the fines are collected with punctuality, all the expenſes incident to the peace eſtabliſhment of the militia, might be paid with liberality, and without expenſe to the ſtate. When the ſtate aſſumes all the expenſes of the militia, it will naturally be ſolicitous to give energy to the laws; and the penalties of the law will not remain unexecuted.

The preſent attention of our citizens to military duties is to be aſcribed to patriotiſm and their own ſpirit, and not to the execution of the laws.

Delinquents have often inſulted the courts martial, which is an offence of a ſerious nature, and deſerves indictment. Every inſult to the laws, which remains unpuniſhed, hardens the offender, and prepares the way for fatal acts of inſubordination.

This bill contemplates permanent courts martial for the trial of all offenders in a brigade, which will inſpire a continual dread of puniſhment. A judge-advocate will be appointed in each brigade, who will, probably, be ſelected from ſuch law characters as reſide in the brigade.

The advocates, it is preſumed, will qualify themſelves for that office, by ſtudying the ſyſtem of courts martial, and will be able to direct their proceedings.

Courts martial have been much embarraſſed by not underſtanding the forms of buſineſs. Major-generals and brigadiers, having power to inſtitute ſaid courts in their reſpective diviſions and brigades, will enſure a ſpeedy ſyſtem of trial. This is an extra duty, and cannot be hurried; and it is unreaſonable to expect that the time of the officer can be devoted to public ſervice, without an adequate compenſation. The judge upon whom the labor of theſe courts muſt fall, is eminently entitled to payment for his ſervices. Courts martial, well conſtituted, will produce beneficial effects on the conduct of officers. In order to enſure juſtice, the bill directs that the officers who inſtitute the court ſhall not ſelect the members of the court. If there is no check, private reſentment and revenge may have an opportunity of gratification.

A law paſſed, directing the officers to take the neceſſary oaths before the clerks of counties, has been complained of as inconvenient and expenſive, on account of the diſtance of the reſidence of ſome of the clerks. The law has directed the clerks to make returns of thoſe who took the oaths, to the ſecretary of ſtate, which have been made in an imperfect manner. They have returned thoſe who took the oaths, but not thoſe who refuſed or neglected.

This bill has provided a mode more in the military channel (and the Adjutant-General preſumes) will give more ſatisfaction.

Officers have refuſed promotion, and thus got rid of ſervice: This bill endeavors to check this practice, which will diſorganize the militia. A reſignation is demanded, with the reaſons ſtated to thoſe officers who will probably appreciate the reaſons of thoſe reſignations, and can aſcertain facts.

The reſignations have been ſo numerous lately as to cauſe alarm, and the bill requires ſome years of ſervice, before an officer can offer his reſignation, except in caſes of diſability and infirmity: Too many of our citizens conſider the exemptions from military duty as more valuable than the commiſſion. It is a diſcouraging circumſtance, when a ſervice ſo eaſy and ſo free from the uſual military deſpotiſm, is conſidered as burthenſome; when republicans are ſo repugnant to the ſervice of their country; if theſe ſentiments continue, it will prepare the minds of the people for military eſtabliſhments. It is an obſervation of an elegant hiſtorian, that the Roman diſcipline and its military character declined, whenever the Roman ſenators accepted of exemption from military ſervice, as a favor from the treacherous emperors.

To check theſe diſhonorable ſpeculations, deſerve the conſideration of the legiſlature, and no officer ſhould be exempted, unleſs he has ſerved ſo many years. An officer who ſolicits a commiſſion with a view to exemption, ſhould be diſappointed, though the ſervice of ſuch men are of no eſtimation.

The Adjutant-General has not preſumed to touch the exemption clauſe of the law of Congreſs, or of this ſtate, in the bill reported. Theſe clauſes form a privileged corps not congenial with our republican theories, which maintains the principle of equal ſocial duties.

It is a miſtaken idea that the dignity of civil office is lowered by a participation in military ſervice. If perſonal ſervice would in ſome inſtances be imcompatible with the duties and obligations of a civil office, they might ſubmit to ſome aſſeſſment as the price of their exemption; this would remove all popular complaint, and the people would ſubmit more cheerfully to their military obligations, when all contribute in ſome manner, and when there were no evidences in our laws of exemption and privilege.

The firemen are excepted in this bill from the liſt of exempts; their exemptions in the city are a great injury to the militia. The people who form theſe aſſociations are the more opulent and reſpectable citizens, and if they were enrolled in the militia, would give it a more honorable appearance; they form ſuch a body of exempts as to leave the real militia of the cities inſignificant: It is ſurpriſing that theſe aſſociations to ſave a houſe are ſo popular, and that aſſociations to ſave a country are ſo avoided: There men feel a natural intereſt in their aſſociation, and want no encouragements of the kind. This exemption is an uſage and right given by the old government when we were in colonial fetters, and when it was the evident policy of the faction who were devoted to the views of the then mother country, to undervalue the militia of the colonies, and this exemption has ſucceſsfully tended to that purpoſe; ought we not to be jealous of this treacherous grant, and reſtore theſe privileged men to their country?

Mariners were exempted by the preſent law, but this bill explains the term mariner, by this definite deſcription—"mariners who navigate on ſea voyages in veſſels of thirty tons," which will exclude all ſmall river craft. There has been much doubt and controverſy among militia officers on this ſubject. It is right to excuſe the manufacturers of iron and glaſs in times of peace, which the bill only propoſes. In war we may want the artiſt, manufacturer and farmer, to combine their powers in the general defence. In times of danger, why ſhould the manufacturing intereſt be preferred to the mercantile, mechanical or agricultural?

The Friends and others have religious ſcruples with reſpect to military ſervice. The principles of religious ſects deſerve reſpect, and ſhould be treated with tenderneſs. Theſe people enjoy every bleſſing of government in common with other members of ſociety, upon terms of inequality; the ſufferings, the ſacrifices, and the carnage of war, they leave to their fellow-citizens, whoſe conſciences are more callous; and this bill offers them an exemption from the horrid ſcenes of war at the moderate price of ſix dollars per annum; and to prevent all ſcrupulous objections to the payment of theſe fines, they are to be applied, not to military purpoſes, but to benevolent inſtitutions.

The preſent ſyſtem does not direct how detachments are to be raiſed, which is an important omiſſion, for which this bill has made proviſion.

When the government of the United States demands troops from the ſtate, the occaſion muſt be ſerious, and the troops ſhould be well appointed and compoſed; ſome time will be neceſſary to form the inhabitants into military claſſes for the purpoſe, and on ſuch an occaſion no individual ſhould be exempted from an aſſeſſment which may be expedient in order to raiſe and equip the detachment; the national defence is a common intereſt, and is it juſt to excuſe from all military expenſe, thoſe citizens who enjoy the emoluments of office? Should individuals who have paſſed the military age, and are bleſſed with affluence, be exempted from thoſe contributions which are neceſſary to raiſe an army?

Should the executive of the ſtate demand a detachment from the militia, it would probably be to ſuppreſs an inſurrection; then the bill directs a draft in a more ſummary way; this ſervice will not admit of delay, and will not be ſufficiently important for a claſſification.

If any citizen is injured, or loſes his life in the public ſervice, the bill directs compenſation to the perſon injured, or to the widow or children, agreeable to the profits of ſuch perſon's labor and employment: the penſion which the United States allow may be ſufficient for a hired ſoldier, who is generally a laborer, and unmarried. Is it conſiſtent with juſtice that the mechanic, who has a family, and who earned ten ſhillings per day, ſhould receive no higher penſion than a laborer who has no family, and earned only four ſhillings per day? The liberality and juſtice of government will ſtimulate military ardor, and the ſervice will be more popular; it is more juſt that the whole ſtate ſhould provide for theſe unfortunate men, than they ſhould be victims to poverty.

The law of Congreſs does not direct, explicitly, the number of men a troop ſhould be compoſed of, and does not provide a regimental arrangement. The cavalry officers have more ambition, and have made more liberal exertions than any officers in the militia, and have a long time been diſcouraged with their ſtationary poſition, as to promotion. There are officers in the cavalry who have been fourteen years captains, and have ſeen lieutenants in the infantry riſe to the command of regiments: the militia ſervice has no reward but the pride of promotion, and this reward ſhould no longer be refuſed this meritorious corps.

The bill contemplates placing the cavalry on a level with the infantry, as to promotion, and gives this ſervice two brigadiers and one major-general: gentlemen raiſed to theſe ſituations will ſtudy the cavalry ſervice, and the ſtate may receive great benefit from their appointments.

The ſervice of the artillery will require the ſpecial and liberal patronage of government; this ſervice is ſcientific, and requires previous education: from the character of theſe corps we may preſume to predict the ſucceſs or failure of military enterpriſes; courage without diſcipline may prevail in the cavalry and infantry, but courage without ſkill in the management of artillery will not avail. This bill endeavors to make theſe corps honorable, by confining them to freeholders, who, it is preſumed, will have good education, and whoſe property will be a ſecurity for their fidelity.

The attachment of theſe corps to government, will give government a decided preponderance in all conteſts with inſurgents: the exemption of theſe corps from jury duty and working on the road, together with an exemption after ſix year's ſervice, will probably have an influence on enliſtments; theſe corps in the cities of New-York and Albany, ſhould be paid, as the exemption from jury duty and of the road, will have no effect. It is in New-York where theſe corps ſhould be diſtinguiſhed by the liberal patronage of government; it is a maritime port, and its defence will depend not on cavalry and infantry, but on expert corps of artillery. It is a circumſtance to be regretted, that the citizens of New-York have not more inclination to this ſervice: this bill contemplates an inſpector in each diviſion, to ſpend fourteen days in an encampment with each corps, to inſtruct them in practical gunnery, and propoſes a yearly proviſion of ammunition for that purpoſe; the bill alſo recommends forming all the corps into a general diviſion and reduces all independent corps; this ſyſtem would arrange the artillery under one head, and give it more compactneſs and ſolidity. Pieces of artillery ſhould be delivered to each corps, that are well organized; it would tend to the ſafety and preſervation of thoſe pieces with their apparatus, if houſes were built for their accommodation in each brigade. If the government does not give its attention to this military department, and begin to educate the young men in this ſervice, they muſt in caſe of a war intruſt this important department to foreigners and ſoldiers of fortune.

There is no circumſtance which threatens the ſubverſion of our preſent military ſyſtem like the practice of military elections; the abuſes which happen in conſequence of this practiſe would ſoon diſorganize and diſhonor the militia: if it is to continue, it deſerves the conſideration of the Houſe how it ſhall be regulated; if it is to be diſcontinued, it will require ſtrong meaſures to remove this ruinous practice, which makes the officers dependent on the men. Many men of military pride and proud ſpirits ſcorn ſuch a ſtate of dependence.

All which is reſpectfully ſubmitted.

D. VAN HORNE, *Adjutant-General.*

*Ordered*, That the ſaid report be committed to a committee conſiſting of Mr. Kane, Mr. Swartwout, Mr. Abeel, Mr. Doty and Mr. Williamſon.

A meſſage from his Excellency the Governor, tranſmitted to this Houſe by the Hon. the Senate, was read, and is in the words following, viz.

GENTLEMEN,

TIME and experience frequently diſcover defects, even in laws prepared and paſſed with the greateſt circumſpection. A caſe has lately occurred, for which our penal code has omitted to provide. Certain priſoners in the gaol of the city and county of New-York, conſpired to effect their eſcape by force, and with arms; and they did, in a daring and violent manner break the gaol. On being convicted of this offence they were ſentenced to impriſonment and hard labor in the State priſon for limited terms. Juſtice requires that at the expiration of thoſe terms, or on their being pardoned, they ſhould be returned to the ſaid gaol, to anſwer the complaints or charges on which they had been committed; and a proper manner of doing it in this and ſimilar caſes, ſhould be preſcribed by law.

It continues to be a queſtion, whether in any and what reſpects, convictions in caſes heretofore capital, extinguiſh or affect civil rights or relations.

To give the preſent mild ſyſtem of puniſhments a fair experiment, particular care ſhould be taken to prevent eſcapes from the State priſon; one has taken place, not from want of fidelity, but from want of vigilance. To me it appears adviſeable that rewards for taking ſuch fugitives ſhould be directed.

The preſent method of puniſhing petty larcenies, proves to be inexpedient; from various and well known cauſes they increaſe, and among thoſe cauſes, the multitude of tipling-houſes indiſcreetly licenſed, is not the leaſt.

Permit me alſo to ſuggeſt, whether there ought not to be ſome limitation to the duration of impriſonment of inſolvents for debt, except perhaps on judgments obtained by *ſureties*. Although the obligation of contracts cannot be conſtitutionally extinguiſhed or impaired by State acts, yet it appears to me, that your authority and juriſdiction clearly extends to the means of enforcing ſuch obligations, and to the modifying thoſe means in the manner beſt accommodated to the principles of juſtice and humanity, and to the true and important intereſts of the State.

I alſo ſubmit to your conſideration, whether it would not be uſeful to direct, that all ſumsof money exceeding a certain amount, which may be brought into the Court of Chancery, or into the Supreme Court, to abide the event of a ſuit, ſhould be depoſited (ſubject to the order of the court) in the Banks of New-York or Albany, where they would be ſafely kept without any expenſe to the parties.

*Albany, 5th January*, 1799. JOHN JAY.

*Ordered*, That the ſaid meſſage of his Excellency the Governor be committed to a committee of the whole.

Then the Houſe reſolved itſelf into a committee of the whole Houſe on the ſaid meſſage, and after ſome time ſpent thereon Mr. Speaker reſumed the chair, and Mr. Prevoſt from the ſaid committee reported, that the committee had agreed to the following reſolutions, viz.

*Reſolved*, as the ſenſe of this committee, that a committee be appointed to take into conſideration thoſe parts of the meſſage of his Excellency the Governor which relate to the criminal code and the ſtate priſon, and report their opinion thereon to the Houſe.

*Reſolved*, as the ſenſe of this committee, that a committee be appointed to take into conſideration that part of the meſſage of his Excellency the Governor which relates to the laws concerning petit larceny and licenſing taverns, and report their opinion thereon to the Houſe.

*Reſolved*, as the ſenſe of this committee, that a committee be appointed to take into conſideration that part of the meſſage of his Excellency the Governor which relates to the court of chancery and the ſupreme court, and report their opinion thereon to the Houſe.

*Reſolved*, as the ſenſe of this committee, that ſo much of the meſſage of his Excellency the Governor as relates to the limiting the duration of impriſonment for debt, be referred to the committee of the whole Houſe when on the bill entitled "An act for the benefit of inſolvent debtors and their creditors," which he was di-

rected to report to the House, and he read the report in his place and delivered the same in at the table, where it was again read and agreed to by the House.

Thereupon, *Resolved*, That a committee be appointed to take into consideration those parts of the message of his Excellency the Governor which relates to the criminal code and the state prison, and report their opinion thereon to the House, and that Mr. King, Mr. Burr, Mr. Barker, Mr. Philip Smith and Mr. S. Ten Broeck be of the said committee.

*Resolved*, That a committee be appointed to take into consideration that part of the message of his Excellency the Governor which relates to the laws concerning petit larceny and licensing taverns, and report their opinion thereon to the House, and that Mr. Thomas, Mr. Paine, Mr Hopkins, Mr. Carpenter and Mr. Dodge be of the said committee.

*Resolved*, That a committee be appointed to take into consideration that part of the message of his Excellency the Governor which relates to the court of chancery and the supreme court, and report their opinion thereon to the House, and that Mr. J. Lansing, Mr. Robins, Mr. Westcott, Mr. Henry and Mr. Snell be of the said committee.

*Resolved*, That so much of the message of his Excellency the Governor as relates to the limiting the duration of imprisonment for debt be referred to the committee of the whole House, when on the bill entitled "An act for the benefit of insolvent debtors and their creditors."

Then the House resolved itself into a committee of the whole House on the bill entitled "An act to amend the act entitled "an act allowing an annual salary to the secretary of this state," and after some time spent thereon Mr. Speaker resumed the chair, and Mr. M'Intyre, from the said committee, reported progress, and obtained leave to sit again.

Then the House adjourned until eleven o'clock to-morrow morning.

FRIDAY, *eleven o'clock, A. M. January 11th*, 1799.

The bill entitled "An act to amend an act entitled "An act to ascertain weights and measures within this state," was read the second time and committed to a committee of the whole House.

A petition of Abraham Bloodgood and others, tanners, curriers, cordwainers, saddlers, coach and harness makers, in the city of New-York, praying that a law may be passed for the encouragement of the manufacturing of leather, and the inspection thereof within this state, was read and referred to Mr. Arcularius, Mr. Tabor, Mr. Clark, Mr. H. Smith and Mr. Coe.

A petition of William Rockefeller and others, freeholders of the town of Germantown, in the county of Columbia, praying alterations in the law for regulating highways, was read and referred to the members attending this House from the county of Columbia.

A petition of Sarah Scudder, widow of the late Captain Joseph Crane, alledging that a certain tract of land in Jessup's patent, was sold by Ebenezer Jessup to the said Joseph Crane, in the year 1774; and that afterwards the commissioners of forfeitures sold it as the property of the said Ebenezer Jessup, and praying compensation for the same, was read, and referred to Mr. Henry, Mr. Burling and Mr. Waren.

Then the House resolved itself into a committee of the whole House on the bill entitled "An act to annex part of the town of Colchester in the county of Delaware, to the town of Walton in said county," and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Doty from the said committee reported, that the committee had gone through the bill and agreed to the same without amendment, which he was directed to report to the House, and he read the report in his place and delivered the same in at the table, where it was again read and agreed to by the House.

*Ordered* That the bill be engrossed.

Mr. Speaker laid before the House the account of Robert M'Clallen, Esq. treasurer of this state, with the certificate of the gentlemen appointed by law to examine the state of the treasury; which account and certificates are in the words and figures following, viz.

*The State of New-York in Account current with* ROBERT M'CLALLEN, *Treasurer.*

Dr.

| | Dolls. | Cts. | Mills. |
|---|---|---|---|
| January 8th, 1799. | | | |
| To amount of an account of payments made since the 24th day of March last | 346,889 | 03 | 5 |
| To balance now in the treasury | 3,700 | 11 | 1½ |
| | 350,589 | 14 | 6½ |

Cr.

| | Dolls. | Cts. | Mills. |
|---|---|---|---|
| January 8th, 1799. | | | |
| By amount of an account of receipts into the treasury since the 24th day of March last | 350,589 | 14 | 6½ |

*Errors excepted.*

ROBERT M'CLALLEN, *Treasurer.*

WE the Subscribers, do hereby certify, That pursuant to a Law of the State of New-York, entitled "An act for the appointment of a Treasurer," passed the 16th day of March last, and of concurrent resolutions of the Senate and Assembly of this State, of the thirty-first day of March, 1798: We have examined the accounts of Robert M'Clallen, Treasurer of this State, since the twenty-fourth day of March, 1798; and that we find them regularly stated and balanced; and also that the balance of monies, to wit, three thousand seven hundred dollars eleven cents one mill, and one half part of a mill, belonging to the State, is actually in the Treasury, or deposited as directed by Law. WITNESS our hands at Albany, this eighth day of January, in the year one thousand seven hundred and ninety-nine.

ABRAHAM TEN BROECK,
JOHN TAYLER,
JEREMIAH VAN RENSSELAER,
G. W. VAN SCHAICK.

*ABSTRACT of Cash received by the Treasurer, from the 24th March, 1798, to 8th January, 1799.*

| | | | |
|---|---|---|---|
| FOR new Lands | 10,377 | 42 | |
| Interest on the Loan of 1792 | 27,601 | 63 | 5 |
| Ditto on the Debt of the Bank of New-York | 33,987 | 82 | |
| Ditto and part principal of the Loan of 1786 | 14,786 | 27 | 5 |
| From the Administrators of the late Auditor | 1,051 | 24 | |
| Benson and L'Hommedieu a balance | 51 | 16 | 6 |
| The bank of Albany, borrowed by the Comptroller | 60,000 | | |
| The Bank of New-York do. | 80,000 | | |
| The late Treasurer, balance due on a settlement of his accounts in April last | 34,451 | 30 | 6 |
| From the Western Inland Lock Navigation Company, for interest on their Bond and Mortgage | 2,250 | | |
| Benson L'Hommedieu and Tayler, Commissioners returned | 100 | | |
| For Dividends on Shares in the Bank of New-York | 4,500 | | |
| Ditto on Shares in the Bank of Albany | 1,800 | | |
| Fees received and accounted for, by the Secretary and Surveyor-General | 1,053 | 87 | |
| Interest on Mortgages of Land, in the Cayuga and Onondaga Reservation | 8,387 | 83 | |
| Ditto on ditto in Brothertown | 2,234 | 98 | 3 |
| Ditto on ditto in Saratoga | 70 | 08 | |
| From the Inspectors of the State Prison in New-York | 1,998 | 98 | |
| For interest on the three per cent. Stock | 17,199 | 95 | |
| Ditto on Mortgages of Lands in the Onieda Reservation and New-Petersburgh | 575 | 72 | |
| Dividend on Shares in the Bank of the United States | 2,432 | | |
| From the Surveyor-General | 5,660 | 10 | 5 |
| For interest on Loans to Individuals | 1,650 | | |
| From Jotham Post balance | 6 | 89 | 6 |
| For Rent of Government House in New-York | 365 | | |
| Arrears of Quit Rents | 9,910 | 73 | 5 |
| Commutation for Quit Rents | 202 | 03 | 5½ |
| Duties on goods sold at Auction | 18,085 | 89 | |
| From William Popham Clerk of the Court of Exchequer | 5,000 | | |
| The Treasurer of Vermont, the balance of 30,000 dollars | 4,798 | 21 | |
| *Dolls.* | 350,589 | 14 | 6½ |

ROBERT M'CLALLEN, *Treasurer.*

*Albany, 8th January, 1799.*

*ABSTRACT of Caſh paid by the Treaſurer, from the 24th March, 1798, to the 8th January, 1799.*

| | | |
|---|---|---|
| To Sundry perſons for public Securities | 2,420 | 67 5 |
| Electors of Preſident and Vice-Preſident | 63 | 50 |
| The Legiſlature and their Officers and Attendants | 63,434 | 30 |
| Ditto Extra Seſſion | 9,798 | 80 |
| The Commiſſioners for ſettling diſputes in Onondaga, and Clerk | 3,099 | 08 5 |
| Commiſſioners for ſettling Claims to Lands in Vermont | 372 | 50 |
| Harmanus P. Schuyler | 762 | 19 |
| Richard Baily, for repairs of Lazaretto, in 1796 | 573 | 62 5 |
| Truſtees of Union College | 750 | |
| To the Attorney-General and Council, on account of Connecticut Claim | 1,800 | |
| For ſpecial Services of Attorney-General | 313 | 50 |
| Salaries of the Officers of Government | 33,345 | 17 |
| To the Commiſſioners of the Health-Office in New-York | 2,509 | 97 |
| County Clerks for notifying Officers | 202 | 71 |
| Robert Hunter Commiſſary of Military Stores | 163 | 19 5 |
| Jaſper Hopper | 222 | |
| For rent and taxes of the houſe occupied by the Governor | 772 | 50 |
| To the Bank of Albany, on account of money borrowed by the Comptroller | 41,000 | |
| Ditto for intereſt on do. | 245 | |
| Bank of New-York, for intereſt on do. | 2,400 | |
| Daniel Phœnix, for ſupport of Foreign poor of the city of New-York | 2,598 | 50 |
| Entertaining Indians | 843 | 59 |
| The Council of Appointment | 166 | |
| Weſtern Inland Lock Navigation Company | 15,000 | |
| Commiſſioners for purchaſing Lands of the Onieda Indians | 2,079 | 11 5 |
| Printers | 1,751 | 94 5 |
| Commiſſioners for building a State Priſon in New-York | 71,346 | |
| Sheriffs for balance of their Accounts | 271 | 48 |
| Commiſſioners for Erecting a public building in Albany | 10,500 | |
| Aſſiſtant Attornies-General | 1,771 | 13 |
| Treaſurer of the Hoſpital in New-York | 9,375 | |
| Inſpectors of the State Priſon | 12,000 | |
| Sheriffs for conveying Ballots to the Secretary's Office | 1,092 | 25 |
| For loſſes on purchaſes of forfeited Eſtates | 4,413 | 73 |
| To Catharine Young, for her Dower | 542 | 75 |
| For Annuities to Indians | 9,665 | 44 |
| Support of Slaves | 287 | 12 5 |
| To the Governor for immediate charges of Government | 200 | |
| William Gilbert and others, for Cancelling Bills of Credit, &c. | 608 | |
| The former Commiſſioners of the Health-Office for expenditures, in 1796 | 2,309 | 08 |
| Commiſſioner of the United States, attending Treaty with Indians | 312 | |
| Canvaſſers | 1,778 | |
| William Gray | 1,000 | |
| Catharine Paris, her Penſion | 75 | |
| Henry Livingſton, for grain impreſſed in 1780 | 890 | 78 |
| Commiſſioners of Fortifications, for procuring Cannon | 9,500 | |
| Surveyor-General | 2,821 | 13 |
| Truſtees of Columbia College | 2,875 | |
| Repreſentatives of Hannah Armſtrong, deceaſed | 1,278 | 96 |
| James Fairlie, late Clerk of the Court of Oyer and Terminer, &c. | 312 | 75 |
| Superintendants of the Affairs of the Brothertown Indians | 2,160 | 79 |
| John Swaney, a Penſioner | 50 | |
| Bills of credit emitted, in 1788 Cancelled | 12,758 | 75 |
| *Dolls.* | 346,889 | 03 5 |

*Albany, 8th January, 1799.* ROBERT M'CLALLEN, *Treaſurer.*

*Ordered*, That one hundred and fifty copies of the treaſurer's account be forthwith printed for the uſe of the members.

A communication from the comptroller to his honor the Speaker was read, and is in the words following, viz.

SIR, *Comptroller's Office, 11th January, 1799.*

Purſuant to the act for appointing a comptroller in this ſtate, I have made a ſtatement of the funds of the ſtate, and of the annual revenue thereof; and of the amount of the ſalaries of the officers of government, and the contingent expenſes and other appropriations paid in the preceding year, a copy of which is herewith incloſed. *I have the honor to be, with great reſpect, your obedient ſervant.*

*The Honorable the Speaker of the* SAMUEL JONES.
*Houſe of Aſſembly of the State of New-York.*

The ſaid ſtatement was read, and is in the words and figures following, viz.

## STATE OF NEW-YORK, OFFICE OF COMPTROLLER.

*Statement of the Funds of this State, and of the annual Revenue thereof, and of the amount of the Salaries of the Officers of Government, and the contingent Expenſes, and other Appropriations paid in the preceding year.*

THE Funds of the State conſiſt of a debt of 1,366,150 dollars and 21 cents due from the Preſident, Directors and Company of the Bank of New-York; 765,036 dollars and 53 cents in the funded debt of the United States, bearing an intereſt of three per cent. per annum; 152 ſhares in the ſtock of the Bank of the United States; 900 ſhares in the ſtock of the Bank of New-York; 50 ſhares in the ſtock of the Bank of Albany; 500,000 dollars loaned in 1792 to the ſeveral counties; 99250 dollars loaned to ſundry individuals in conformity to particular laws; 38,043 dollars on mortgages of lands in Brothertown; 363,189 dollars and 21 cents on mortgages of lands ſold in 1796; 265,648 dollars 37 cents and 5 mills on mortgages of lands ſold in 1797; 1691 dollars on mortgages of lands in Saratoga county, ſold by the Surveyor-General; duties on the ſales of goods at vendue; fees received and accounted for by the Secretary and Surveyor-General; rent of the government houſe in the city of New-York; quit rents reſerved on grants made by the former government; the money remaining due on the loan of 1786; rents of ſalt ſprings in the county of Onondaga; 200 ſhares in the ſtock of each of the inland Navigation Companies; and unappropriated lands belonging to the State.

Theſe funds produce at preſent the following annual revenue:

| | |
|---|---|
| The debt of the Bank of New-York | 33,987.82 |
| Three per cent. ſtock | 22,951.08 |
| Shares in the Bank of the United States | 5,472.00 |
| Shares in the Bank of New-York | 4,500.00 |
| Shares in the Bank of Albany | 1,800.00 |
| Loan of 1792 excluſive of the ſalaries of the Loan-Officers | 27,400.00 |
| Loans to individuals | 5,805.00 |
| Mortgages on lands in Brothertown | 2,282.58 |
| Mortgages on lands ſold in 1796 | 21,791.35 |
| Mortgages on lands ſold in 1797 | 15,938.90 |
| Mortgages on lands in Saratoga county | 101.46 |
| Duties on goods ſold at vendue | 25,031.41 |
| Fees received and accounted for by the Secretary and Surv. Gen. | 1,229.31 |
| Rent of the government houſe in the city of New-York | 1,500.00 |
| Quit rents received ſince the 8th January, 1798 | 9,910.73.5 |
| | 179,701.64.5 |

Theſe ſeveral ſums, making in the whole 179,701 dollars 64 cents and 5 mills, may be conſidered as the amount of the preſent annual revenue of the ſtate.

The produce of the ſhares in the Banks, and the amount of the duties on goods ſold at vendue, and of the fees received by the Secretary and Surveyor-General, as well as the quit rents, are ſtated according to the receipts of the laſt year. And the produce of the loans and mortgages is eſtimated according to the amount of the annual intereſt. The ſum above ſtated as the amount of the duties on ſales at auction, is excluſive of the additional duty appropriated towards the ſupport of foreign poor in the city of New-York.

The amount of the three per cent ſtock has been increaſed in the courſe of the laſt year by ſundry payments in ſtock for quit rents and commutation for quit rents.

In the ſtatement exhibited to the legiſlature on the 25th of January 1798, the amount of the mortgages on lands ſold in 1797 was ſtated according to an account furniſhed by the Surveyor-General, which was not accurate. The amount is only 265,648 dollars 37 cents and 5 mills; from which the credit to be given to Peter Smith purſuant to the "act for the relief of Joſeph Mabee and others entitled to the right of pre-emption of land in the Oneida Reſervation," is to be deducted; the amount of which is not yet aſcertained; but it will probably exceed ten thouſand dollars.

It may be proper to mention that there is a large arrear of intereſt due on the mortgages on lands in the Indian Reſervations. Not one half of the yearly intereſt on thoſe taken in 1796; nor one twentieth part of the intereſt on thoſe taken in 1797 has been paid in the laſt year. This has been in ſome meaſure occaſioned by an opinion that the State gives an indulgence for a year in theſe caſes. But ſome of the mortgagors are ſuppoſed to be unable and others are unwilling to pay. Suits have been inſtituted againſt ſeveral of the latter; and it is ſuppoſed that more ſuits muſt be brought, as thoſe already commenced have not produced the deſired effect.

The difficulty of aſcertaining the annual amount of the quit rents, or the ſum due for the arrears is greatly increaſed by the "act to exonerate certain perſons from paying arrears of quit rent," paſſed the 5th of April laſt. Many claim the benefit of that act: but not a ſingle perſon has yet produced the proofs neceſſary to entitle him to it. It is however ſuppoſed, that in conſequence of the large arrears, the produce of the quit rents for ſome years to come will be at leaſt equal to the receipts of the laſt year. But in proportion as commutation is paid for quit rents, the annual amount will decreaſe.

A difficulty has lately occurred reſpecting the payment of the arrears of quit rent. It is contended by ſome proprietors of lands, that according to the terms of the "act concerning the collection and commutation of quit rents, and for other purpoſes," paſſed the 24th of March 1791, they have ſtill a right to pay all arrears accrued before the firſt day of May 1793, in any ſtock created under the authority of the United States. This difficulty may be removed by an explanatory law; and if ſtock is to be received for thoſe arrears, it will be neceſſary to give directions as to the receipts and diſpoſition of it.

The money remaining due on the loan of 1786, cannot be conſidered as producing any revenue; becauſe being charged with the redemption of the bills of credit iſſued in 1788, the principal as it comes in, as well as the annual intereſt, except ſo much of the latter as is retained by the loan-officers for their ſalaries, is applied to that purpoſe. The amount of thoſe bills in circulation is 43,688l. 10s. equal to 109,221 dollars and 25 cents.

No rent has been received for the ſalt ſprings, nor has any income ariſen from the ſhares in either of the inland navigation companies.

The unappropriated or waſte lands in their preſent ſtate cannot produce any revenue. The only profit to be made of them is by ſales. None have been ſold in the laſt year, except ſome lots at Oſwego, and at the ſalt ſprings, and along the great Geneſee road, by the Surveyor-General; of which a particular account has not been yet rendered: but the amount for which mortgages are to be taken will probably exceed 25,000 dollars.

In the courſe of the laſt year, that is, from the 8th of January, 1798, to the 9th of January, 1799, the following ſums have been received into the treaſury:

| | | |
|---|---|---|
| For intereſt of the debt of the bank of New-York | | 33,987.82 |
| of 3 per cent. ſtock due 1ſt January, 1798 | 5,678.29 | |
| Do. to 1ſt January, 1799 | 22,878.24 | 28,556.53 |
| of loan of 1792 | | 28,926.63.5 |
| of loans to individuals | | 4,380.00 |
| on mortgages of lands in Brothertown | | 2,234.98.3 |
| on do. of lands ſold in 1796 | | 8,387.83 |
| on do. of lands ſold in 1797 | | 575.72 |
| on do. of lands in Saratoga county | | 70.08 |
| One dividend on ſhares in the bank of the United States due 1ſt January, 1798 | 3,040.00 | |
| One do. due 1ſt July, 1798 | 2,432.00 | 5,472.00 |
| Two do. on ſhares in the bank of New-York | | 4,500.00 |
| Two do. on ſhares in the bank of Albany | | 1,800.00 |
| Duties on goods ſold at vendue including the additional duty | | 28,755.91 |
| Fees received and accounted for by the ſecretary & Surveyor Gen. | | 1,229.31 |
| Quit Rents | | 9,910.73.5 |
| Commutation for quit rents | | 202.03.5 |
| Forfeited lands in Weſtcheſter county | | 781.17 |
| New Lands | | 10,377.42 |
| Rent of the government houſe in the city of New-York | | 365.00 |
| From inſpectors of the State priſon, balance of their account audited 25th April 1798 | | 1,998.98 |
| Benſon and L'Hommedieu, balance of their account | | 51.16.6 |
| The adminiſtrators of the eſtate of the late auditor, do. | | 773.16 |
| Do. for intereſt of ſtock depoſited with him by Goldſbrow Banyar | | 278.08 |
| The Surveyor-General for 50 acre lots in Galen and Stirling | | 408.59 |
| Do. in part balance of his account audited 23d May, 1798 | | 5,251.51.5 |
| Jotham Poſt, balance of his account | | 6.89.6 |
| William Popham, clerk of the court of exchequer | | 5,000.00 |
| Samuel Mattocks treaſurer of the State of Vermont | | 4,798.21 |
| | | 189,079.77.5 |
| For intereſt and part of the principal of the loan of 1786 | | 14,786.27.5 |
| | | 203,866.05.0 |

During the ſame period, that is from the 8th of January 1798 to the 9th of January 1799, the following ſums have been paid, or warrants drawn for the payment of them.

*Permanent Salaries of the Officers of Government.*

| | | |
|---|---|---|
| To the Governor | 3,750.00 | |
| Chancellor | 2000.00 | |
| Judges of the Supreme Court | 7,595.90 | |
| Gerard Bancker, late treaſurer | 1,336.68 | |
| Robert M'Clallen, preſent treaſurer | 1,125.00 | |
| Attorney-General | 2000.00 | |
| Lewis A. Scott, late ſecretary | 746.79 | |
| Daniel Hale, preſent ſecretary | 2,060.16 | |
| David S. Jones, late private ſecretary of the governor | 103.31 | |
| Morris S. Miller, preſent do. | 204.5.4 | |
| Keeper of the State priſon and his aſſiſtants | 2,729.81 | |
| | | 23,651.70.4 |

*Expences of the Legiſlature.*

| | | |
|---|---|---|
| Wages of the members in the ſeſſion commencing in January 1798 | 35,942.50 | |
| Do. of the officers and clergy attending the legiſlature | 2,160.75 | |
| Contingent expences charged by the clerks | 1,846.30 | |
| | | 39,949.55 |
| Expences of the ſeſſion in Auguſt laſt | | 9,941.30 |

*Other permanent Expences.*

| | | |
|---|---|---|
| Annuities to Indians, including 100 buſhels of ſalt to the Onondagoes | 11,273.90 | |
| Allowance to profeſſor of anatomy in Columbia College | 500.00 | |
| | | 11,773.90 |

*Permanent expences which are contingent as to their amount.*

| | | |
|---|---|---|
| To the Governor for contingencies | 200.00 | |
| State Printers | 994.87.5 | |
| Canvaſſers | 1,778.00 | |
| For compenſation to the Aſſiſtant Attornies General | 3,751.37 | |
| To the Sheriffs for balances of their accounts | 832.24 | |
| for conveying ballots to the Secretary's office | 1,092.25 | |
| Clerks of counties for notifying officers | 207.71 | |
| Council of Appointment | 166.00 | |
| Overſeers of the poor for ſupporting ſlaves | 287.12.5 | |
| For ſpecial ſervices of the Attorney-General | 313,50 | |
| Rent and taxes of houſe in Albany occupied by the Gov. | 772,50 | |
| Expences of paying annuities to Indians | 552.33 | |
| Do. of entertaining Indians viſiting the ſeat of government | 843.59 | |
| | | 11,791.49 |

*Salaries limited as to time, or depending upon annual proviſion.*

| | | |
|---|---|---|
| To the Comptroller | 3000.00 | |
| Surveyor-General | 1,250.00 | |
| Adjutant-General | 1,500.00 | |
| Commiſſiary of Military Stores | 125.00 | |
| | | 5,875.00 |

*Charges which are to continue for a limited time.*

| | | |
|---|---|---|
| To the Hoſpital in New-York | 12,500.00 | |
| Columbia College | 1,875.00 | |
| Union College | 750.00 | |
| Catharine Paris, during her widowhood | 75.00 | |
| For ſupport of John Swaney during his inability | 50.00 | 15,250.00 |
| Carried forward | | 118,232.94.4 |

| | | |
|---|---|---|
| Amount brought forward | | 118,232.94 |
| *Other Appropriations made and paid in the laſt year.* | | |
| Additional allowances to the members and officers of the Legiſlature | 24,334.75 | |
| Do. to the officers of government | 5,711.52.6 | |
| | | 30,046.276 |
| To commiſſioners for building ſtate priſon in the city of New-York | 71,346.00 | |
| Commiſſioners for ſuperintending the erection of a public building in Albany | 10,500.00 | |
| Inſpectors of State Priſon | 12,000.00 | |
| former commiſſioners of health-office for expenditures in 1796 | 2,309.08 | |
| preſent do. for expenditures & ſalaries to 1 March, 1798 | 2,509.97 | |
| commiſſioners for purchaſing lands of the Oneida Indians | 1,979.11.5 | |
| commiſſioners for ſettling diſputes in Onondaga | 4,413.08.5 | |
| commiſſioners for ſettling claims to lands in Vermont | 372.50 | |
| ſundry perſons for loſſes on purchaſes of forfeited eſtates | 6,413.73 | |
| commiſſioner of the U. S. attending treaty with the indians | 312.00 | |
| ſundry printers | 757.07 | |
| Hermanus P. Schuyler | 762.19 | |
| Jaſper Hopper | 222.00 | |
| Wm. W. Gilbert & others for cancelling bills & certificates | 608.00 | |
| Catharine Young for her dower | 542.75 | |
| Surveyor-General for ſundry ſervices and ſurveys | 1,421.87 | |
| children of Hannah Armſtrong, deceaſed | 1,278.96 | |
| corporation of New-York additional duty on goods ſold at vendue | 2,598.52 | |
| J. Fairlie late clk. of the courts of oyer & term. & gaol deliv. | 312.75 | |
| Robert Hunter | 38.19.5 | |
| For repairs of lazaretto in 1796 | 573.62.5 | |
| | | 121,271.41 |
| *On former Appropriations.* | | |
| To the weſtern lock navigation company | 15,000.00 | |
| commiſſioners of fortifications for purchaſing cannon | 9,500.00 | |
| ſundry perſons for public ſecurities | 2,634.90 | |
| Attor. Gen. & counſel on account of Connecticut claim | 1,800.00 | |
| William Grey | 1,000.00 | |
| Henry Livingſton for grain impreſſed in 1780 | 896.78 | |
| Electors of Preſident of the United States | 127.50 | |
| | | 30,959.18 |
| the bank of N. York for money borrowed 2d May 1797 | 26,125,00 | |
| Do. for intereſt of money borrowed ſince | 2,880.00 | |
| the bank of Albany for intereſt of money borrowed 6th April, 1798 | 245.00 | |
| | | 29,250.00 |
| On warrants iſſued before the 8th January, 1798 | | 13,473.59 |
| | | 343,233.40 |
| Deduct amount of warrants remaining unpaid | | 7,631.09 |
| Amount of payments | | 335,602.31 |

The neglect of the loan-officers in the ſouthern diſtrict to tranſmit to the Comptroller in due time the receipts for the money they paid into the Bank of New-York, rendered it impoſſible to aſcertain, on the firſt Monday in November laſt, the amount of the payments on account of the loan of 1786. There being, however, reaſon to believe they would amount to 12,758 dollars and 75 cents, the Comptroller directed bills emitted in 1788 to that amount to be cancelled. It has appeared ſince that the payments exceed that ſum; the exceſs muſt therefore be applied on the firſt Monday in November next to the purpoſe to which it ought to have been applied on the firſt Monday in November laſt; and having been appro-

priated in discharge of demands on the treasury, must be replaced out of the money to come into the treasury in the present year.

At the close of the session on the sixth day of April last, the money in the treasury not being sufficient to pay the wages of the members of the legislature, it became necessary to borrow a sum for the purpose; and the Comptroller accordingly on that day, in behalf of the state, borrowed forty thousand dollars from the Bank of Albany. This sum has been repaid with interest. But to enable the Treasurer to satisfy various other demands, the Comptroller has since found it necessary, on behalf of the state, to borrow eighty thousand dollars from the Bank of New-York, and nineteen thousand dollars from the Bank of Albany, which sums remain unpaid; there not having been, to the knowledge of the Comptroller, at any time since those loans were made, any unappropriated money in the treasury, out of which any part of either of them could be repaid. The money from the Bank of New-York was borrowed for the purpose of satisfying the last appropriations to the commissioners for building the State Prison in the city of New-York, and to the commissioners appointed to superintend the erection of a public building in the county of Albany, and to repay a part of the forty thousand dollars borrowed from the Bank of Albany. Part of the money remaining due to the Bank of Albany was borrowed to compensate the members and officers of the legislature for their travelling and attendance at the meeting of the legislature in August last; and the residue was borrowed for the purpose of paying the Indian annuities. The balance due to the Bank of New-York on the loans made in 1797 is 48,000 dollars, which added to the sums due to them and to the Bank of Albany for the loans of the last year, makes 147,000 dollars, the annual interest of which is 8,820 dollars.

Besides the money borrowed by the Comptroller, his Excellency the Governor of this state, in pursuance of the act passed the 27th of August last for the further defence of the state, has made a contract with the Bank of New-York for the loan of 200,000 dollars; the interest on which is to commence from the time of payment to the Treasurer. Three thousand five hundred dollars have been paid out of this sum to agents appointed by the Governor. No part of the residue has been yet paid to the treasurer.

The balance in the treasury on the 8th of January, 1798, was 49,195 dollars 12 cents and one mill.

According to the preceding statements, the treasury accounts, exclusive of those relating to the loan negociated by the Governor, stand thus:

| | | | |
|---|---|---|---|
| The receipts for the last year, including the sum received on the loan of 1786, and exclusive of the money borrowed, amount to | | 203,866.05.0.5 | |
| Borrowed from the bank of New-York | 80,000.00 | | |
| from the bank of Albany | 19,000.00 | 99,000.00 | |
| Balance in the treasury 8th January, 1798 | | 49,195.12.1 | 352,061.17.1.5 |
| Payments in the last year | | 335,602.31 | |
| Amount of bills of 1788 cancelled 5th Nov. 1798 | | 12,758.75 | 348,361.06 |
| Balance in the treasury 8th January, 1799 | | | 3,700.11.1.5 |

This balance is not equal to the sum due on the warrants already issued. The difference which is 3,930 dollars 97 cents 8 mills and an half must be paid out of the receipts of the present year.

No money has been issued from the treasury in the last year upon the act for the encouragement of schools. This act passed the 9th of April, 1795, and directs 20.000l. equal to 50,000 dollars, to be paid to the county treasurers on the third Tuesday of March yearly for five years, commencing on the third Tuesday of March, 1796. The payments were made in 1796 and 1797. But there has not been any money in the treasury in the course of the last year, that could be issued by virtue of that act. And as the revenue of the State is not sufficient to bear the charge, the propriety of permitting it to continue may be doubted. While the act continues in force, however, the sum directed to be paid yearly, as well as the arrears, must be considered as an existing demand against the State.

The treaſury is alſo ſubject to tke following demands: for 30,000 dollars received from the ſtate of Vermont. This money is to be diſtributed among the claimaints to lands in that ſtate under grants from the late colony of New-York; and to be paid upon the certificates of the commiſſioners appointed to hear and determine thoſe claims. For 950 dollars to defray the expenſes on account of the claim under a grant from the ſtate of Connecticut to lands in this ſtate. The ſum of 5000 dollars was appropriated for that purpoſe; 4050 of which are paid. For payment of certificates iſſued by the late Treaſurer and Auditor, and by Haring, Gaſharie and Moffatt, and of bills of credit called new emiſſion; the amount of which cannot be aſcertained, as the amount loaned to the United States is uncertain. But there is reaſon to believe that the amount in circulation cannot be large. For compenſation to one of the electors of the Preſident of the United States, which may amount to 12 dollars. For the ſum due on a mortgage of land, ſold by the commiſſioners of forfeitures, and now belonging to Joſeph Caldwell and Thomas Bradſhaw, ſuppoſed to be about 187 dollars and 50 cents. For the balance due to the Surveyor-General for the expenſe paid by him for ſurveying done by order of the agents appointed in 1795 for purchaſing lands of the Indians, ſuppoſed to be about 2500 dollars. For the expenſe of ſurveys and adjuſting claims relating to lands granted by this ſtate, which are comprehended in the tract ceded to the Commonwealth of Maſſachuſetts. What will be the amount of theſe expences is uncertain, and the credit on the treaſury is unlimited. For requiſitions by the inland navigation companies, which in the laſt year amounted to 15,000 dollars. For compenſation to John Porteous and Alexander Ellice, and to the purchaſers of lands in the fourth allotment of the Royal Grant, for monies paid by them for lands improperly ſold by the commiſſioners of forfeitures. The amount of theſe demands is uncertain, but it is ſuppoſed to be conſiderable. For 1409 dollars and 50 cents to Anne Claus for her right of dower. For 186 dollars and 73 cents to the truſtees of the firſt Preſbyterian congregation adhering to the aſſociate reformed ſynod in Salem. For compenſation to the commiſſioners appointed to ſettle diſputes concerning the titles to lands in the county of Onondaga, and their clerk; and to the commiſſioners appointed by the act concerning the money paid into the treaſury of this ſtate by the ſtate of Vermont. For compenſation to the ſheriffs of the counties of Suffolk, King's, Weſtcheſter, Orange, and Chenango, for conveying the ballots taken at the laſt election in their counties, to the ſecretary's office. For 1,125 dollars and 89 cents ariſing from the additional duty on ſales at vendue in the city of New-York appropriated towards the ſupport of foreign poor in the ſaid city. What ſum will be neceſſary to ſatisfy theſe demands, or when they will be made, is equally uncertain. But it is ſuppoſed that not leſs than 50,000 dollars will be neceſſary to ſatisfy ſuch of them as will be made in the courſe of the preſent year.

The expenſe of the government for the laſt year, as above ſtated, excluſive of the additional allowances and particular appropriations, and excluſive of the expenſe of the legiſlature at the ſeſſion in Auguſt laſt, and including the ſum to be paid for the encouragement of ſchools, amounted to 158,291 dollars 64 cents and 4 mills. The amount of the revenue, as above ſtated, is 179,701 dollars 64 cents and 5 mills, which is more than ſufficient to defray the ordinary expenſe of government. But the ſurplus is not equal to the additional allowances and particular appropriations made by the legiſlature for ſeveral years paſt. This has occaſioned the preſent deficiency. And if means are not provided to diſcharge the exiſting demands, as well as all ſuch other appropriations as may hereafter be made by the legiſlature, they will ſoon exceed the whole amount of the revenue. The only adequate means for the purpoſe will be a tax. All other expedients will prove deluſive and injurious to the ſtate. And the ſooner this remedy is applied, the lighter will be the burden upon the citizens. What ſum ought to be raiſed by tax in tbe preſent year will depend much upon the appropriations to be made by the legiſlature in the preſent ſeſſion. The following ſtatement will ſhew the probable amount wanted, excluſive of any new appropriations.

| | | |
|---|---|---|
| r the ordinary expenſe of government | | 158,291.64.4 |
| arrants unpaid not included in the above ſum | | 2,514.84 |
| oney received on the loan of 1786 not applied to cancel bills of 1788 | | 2,027.52 5 |
| tereſt of money borrowed for a year | | 8,820.00 |
| rears for the encouragement of ſchools unpaid laſt year | | 50,000.00 |
| e ſupport of priſoners in the State Priſon | | 10,000.00 |
| e diſcharge of other demands on the treaſury | | 50,000.00 |
| | | 281.654.00.9 |
| Deduct the amount of the revenue | | 179.701.64.5 |
| Balance to be provided | Dollars | 101.952.36.4 |

This balance together with ſuch additional allowances and other appropriations the Legiſlature may think proper to make, will form the ſum neceſſary to be pro- ed in the preſent year. The additional allowances in the laſt year amounted to ,046 dollars 27 cents and 6 mills; 24,334 dollars and 75 cents to the members f officers of the Legiſlature; and 5,711 dollars 52 cents and 6 mills to the offi- s of government. The particular appropriations that may be neceſſary can only eſtimated by the Legiſlature.

This computation does not include any proviſion for payment of any of the oney borrowed. But if a tax ſufficient for the above purpoſes is impoſed, the ntinuance of it, with the aid of the additional intereſt on the debt due from the nk of New-York, payable after the year 1801, will in a few years diſcharge the ncipal, as well as the annual intereſt, of all the loans to the State. And in the an time any ſurplus that may ariſe from any of the funds of the State, or by the piration of former grants, may be applied to that purpoſe.

All which is reſpectfully ſubmitted.

SAMUEL JONES, *Comptroller.*

ALBANY, 11*th January*, 1799.

*Ordered*, That two hundred copies of the ſaid ſtatement be forthwith printed the uſe of this Houſe.

Mr. Storm, purſuant to notice by him for that purpoſe heretofore given, moved and obtained leave to bring in a bill entitled "An act to amend the act entitled An act for the better ſettlement and relief of the poor," which was read the firſt e and ordered a ſecond reading.

Then the Houſe reſolved itſelf into a committee of the whole Houſe on the bill itled "An act for the benefit of inſolvent debtors and their creditors," and af- ſome time ſpent thereon, Mr. Speaker reſumed the chair, and Mr. Dewey, from ſaid committee, reported further progreſs and obtained leave to ſit again.

Then the Houſe adjourned until ten o'clock to-morrow morning.

SATURDAY, *ten o'clock, A. M. January* 12*th*, 1799.

The bill entitled "An act to annex part of the town of Colcheſter, in the county Delaware, to the town of Walton, in ſaid county," was read the third time.

*Reſolved*, That the bill do paſs.

*Ordered*, That Mr. Blake and Mr. Boyd deliver the bill to the Hon. the Senate, requeſt their concurrence.

The bill entitled "An act to amend an act entitled "An act for the better ſet- ment and relief of the poor," was read the ſecond time and committed to a com- tee of the whole Houſe.

A petition of Samuel Philips and others, inhabitants of Smithtown, in the coun- of Suffolk, relative to a road in ſaid town, was read and referred to the members nding this Houſe from the county of Suffolk.

Mr. Thomas, from the committee to whom was referred the petition of Robert nell, reported, that the fee of the whole of lot number 94, in Salem, in the nty of Waſhington, was veſted in William Moffat, reſerving a yearly rent of ſhilling per acre, payable to Oliver Delancey and Peter Du Bois; that the fee veſted in William Moffat became forfeited to the people of this ſtate by his con- ion; that the rent reſerved on the one moiety of ſaid lot became forfeited by the inder of Oliver Delancey; that Robert Pennell, late of the town of Salem afore- , deceaſed, purchaſed the eſtate of the ſaid William Moffat in the ſaid lot pre-

vious to his conviction, but did not take any conveyance of it previous thereto that the ſaid Robert Pennell afterwards paid to the commiſſioners of forfeitures for the eaſtern diſtrict, one hundred and forty pounds for the eſtate in the ſaid lot which was forfeited by the conviction of the ſaid William Moffat, and at the ſame time paid the ſaid commiſſioners the purchaſe money for the rent reſerved, and the one moiety of the ſame, but that the conveyance made by the ſaid commiſſioners to the ſaid Robert Pennell doth not convey any eſtate of the people of this ſtate in any more than the one moiety thereof; and that Robert Pennell, the petitioner, is the heir and legal repreſentative of the ſaid Robert Pennell, deceaſed. The committee are therefore of opinion, that the prayer of the petitioner ought to be granted, and that leave ſhould be given to bring in a bill for that purpoſe.

*Ordered*, That leave be given accordingly.

Mr. Thomas, from the committee to whom was referred the petition of Nathan Wilſon, reported, that the petitioner purchaſed of the commiſſioners of forfeitures for the eaſtern diſtrict, one fourth part of lot number 136, in the town of Salem in the county of Waſhington; that the ſaid commiſſioners, by miſtake, executed a deed to the ſaid Nathan Wilſon for one fourth part of lot number 135, and afterwards conveyed the ſame to David M'Cracken, to whom it ought, of right, to have been conveyed; and that it appears to the committee that no deed has been executed for the ſaid one fourth part of lot number 136. The committee are therefore of opinion, that the prayer of the petitioner ought to be granted, and that leave ſhould be given to bring in a bill for that purpoſe.

*Ordered*, That leave be given accordingly.

Mr. Thomas, according to leave, brought in a bill entitled "An act for the relief of Nathan Wilſon and Robert Pennell," which was read the firſt time and ordered a ſecond reading.

*Reſolved*, That a committee be appointed to enquire whether any, and if any what alterations or amendments may be neceſſary in the ſeveral acts of limitation now in force within this ſtate, and report thereon to the Houſe; and that Mr. Bay, Mr. Johnſon, Mr. Comſtock, Mr. B. Gilbert and Mr. John Smith be of the ſaid committee.

A meſſage from his Excellency the Governor, delivered by his private ſecretary, was read, and is in the words following, viz.

GENTLEMEN,

THE Attorney-General has repreſented to me, by a letter dated the 10th inſt. the neceſſity of making explicit proviſion, by law, for auditing accounts of expenſes incident to thoſe ſuits (proſecuted or defended by him) which concern the intereſt of this ſtate. It appears to me proper to lay this letter before you, and recommend the ſubject of it to your attention.

*Albany*, 12*th January*, 1799. JOHN JAY.

The letter referred to in his Excellency's meſſage was alſo read; thereupon,

*Ordered*, That the meſſage of his Excellency the Governor, with the letter accompanying the ſame, be committed to a committee of the whole Houſe.

Mr. Dewey, from the committee of the whole Houſe on the bill entitled "An act for the benefit of inſolvent debtors and their creditors," reported, that in proceeding in the ſaid bill, Mr. Storm made a motion that the committee ſhould agree to reject the ſame; that debates were had thereon, and the queſtion being put, paſſed in the negative: the yeas and nays being called for by Mr. Fairlie, ſeconded by Mr. Storm, were as follows, viz.

*For the Negative.*

| | | | |
|---|---|---|---|
| Mr. Abeel | Mr. De Witt | Mr. Lee | Mr. Savage |
| Mr. Adams | Mr. Doty | Mr. Lefevre | Mr. Schermerhorn |
| Mr. Adgate | Mr. Fort | Mr. C. M'Kinſtry | Mr. Shurtleff |
| Mr. Blake | Mr. French | Mr. J. M'Kinſtry | Mr. A. Smith |
| Mr. Burr | Mr. Gates | Mr. M'Neil | Mr. H. Smith |
| Mr. Burt | Mr. B. Gilbert | Mr. Micheau | Mr. John Smith |
| Mr. Campbell | Mr. E. Gilbert | Mr. Moore | Mr. Snell |
| Mr. Carpenter | Mr. Hall | Mr. E. Mott | Mr. Speaker |
| Mr. Clark | Mr. Heermance | Mr. Oſtrom | Mr. P. Ten Broeck |
| Mr. Clift | Mr. Henry | Mr. Paine | Mr. S. Ten Broeck |
| Mr. Coe | Mr. Hogeboom | Mr. Pearce | Mr. Thomas |
| Mr. Comſtock | Mr. Hopkins | Mr. Philips | Mr. Van Renſſelaer |
| Mr. Crocker | Mr. Johnſon | Mr. Prevoſt | Mr. Veeder |
| Mr. Cummings | Mr. King | Mr. Reynolds | Mr. Weſtcott |

*For the Affirmative.*

| | | | | |
|---|---|---|---|---|
| Mr. Adriance | Mr. Hoag | Mr. W. Mott | Mr. Joſhua Smith | |
| Mr. Arcularius | Mr. Honeywell | Mr. Nexen | Mr. Storm | |
| Mr. Boyd | Mr. Hunt | Mr. Peck | Mr. Swartwout | |
| Mr. Bruyn | Mr. Kane | Mr. Robins | Mr. Tabor | |
| Mr. Burling | Mr. Landon | Mr. Root | Mr. Teed | |
| Mr. Dodge | Mr. C. Lanſingh | Mr. Schuneman | Mr. Van Benthuyſen | |
| Mr. Fairlie | Mr. J. Lanſingh | Mr. Skidmore | Mr. Voorhis | |
| Mr. Furman | Mr. Lott | Mr. John M. Smith | Mr. Wolfe | 34 |
| Mr. German | Mr. M'Intyre | | | |

Mr. Dewey reported further progreſs, and obtained leave to ſit again.

The committee to whom was referred the report of the Adjutant-General relative o an uniform ſyſtem of regulating the militia, reported, that the committee think roper to lay before the Houſe a draft of a bill prepared by the Adjutant-General, ntitled "An act for regulating and governing the militia of the ſtate of New-ork." They remark, the length of the bill renders it difficult for the committee o form an opinion of its merits within a reſonable time; that in order to expedite he printing ſaid bill, to the end that each member of this Houſe may be furniſhed ith a copy thereof, the committee beg leave to report the ſaid bill without giv-ng any opinion thereon; which report was accepted by the Houſe: whereupon,

The bill entitled "An act for regulating and governing the militia of the ſtate f New-York," was read the firſt time and ordered a ſecond reading.

*Ordered*, That one hundred and fifty copies of the report of the Adjutant-Gene-al and of the ſaid bill be forthwith printed for the uſe of this Houſe.

Mr. Arcularius, purſuant to leave heretofore given, brought in a bill entitled An act for the relief of Elizabeth Kettletas," which was read the firſt time and rdered a ſecond reading.

Then the Houſe adjourned untill ten o'clock on Monday morning next.

MONDAY, *ten o'clock, A. M. January 14th*, 1799.

The bill entitled "An act for the relief of Nathan Wilſon and Robert Pennell," nd the bill entitled "An act for the relief of Elizabeth Kettletas," were ſeverally ead the ſecond time, and committed to a committee of the whole Houſe.

A petition of William Tremper, John Tremper, and the other children of Jacob W. Tremper, deceaſed, by William Cockburn, their guardian, praying that a law ay be paſſed appointing commiſſioners to make partition and diviſion among them f all the real eſtate whereof the ſaid Jacob W. Tremper died ſeized, was read and eferred to Mr. Comſtock, Mr. Lefevre and Mr. Peck.

A petition of Owen Bennet, praying a grant of bounty lands, was read and re-erred to Mr. J. M'Kinſtry, Mr. Adams and Mr. Blake.

A petition of Ann Barber, relict of William Barber, late of Dutcheſs county, raying a grant of bounty lands for the ſervices of her ſaid late huſband; and a etition of Timothy Howe, jun. praying a grant of bounty lands for miltary ſer-ices during the late war, were ſeverally read and referred to Mr. Fairlie, Mr. lift, Mr. Pawling, Mr. Shurtleff and Mr. Hopkins.

A petition of Mary Black, widow of James Black, late a ſub-clothier in the army f the United States, praying payment of the balance due her ſaid late huſband, as read and referred to Mr. Fairlie, Mr. Dietz and Mr. E. Gilbert.

A petition of Daniel Latham and others, proprietors of Miniford iſland, in the own of Pelham, in the county of Weſtcheſter, praying that certain perſons in the aid petition named may, by law, be appointed commiſſioners to make a diviſion of he ſaid iſland among the proprietors, was read and referred to the members attend-ng this Houſe from the counties of Queens and Weſtcheſter.

A petition of Stephen Hunt, of the town of North Caſtle, in the county of Weſt-cheſter, relative to a demand againſt the forfeited eſtate of Stephen Fowler, late of he ſaid county, with certain vouchers accompanying the ſame, was read and referred o Mr. A. Smith, Mr. Burt and Mr. E. Mott.

A petition of John Livingſton and Edward Livingſton, relative to an equiva-ent compenſation for certain lands in Ryckman's patent, cut off by the line lately eſtabliſhed by law as the eaſt line of the lands ceded by this ſtate to the ſtate of Maſſachuſetts, together with ſundry documents accompanying the ſame, were read nd referred to Mr. B. Gilbert, Mr. Prevoſt and Mr. Philips.

A petition of Iſaac Foot, of the county of Chenango, praying compenſation for improvements made by him on certain lands, ſituate at a place called Tuſcarora, on the Suſquehannah river, and which have been ſold by the ſtate, was read and referred to Mr. M'Niel, Mr. Teed and Mr. Paine.

Mr. Crocker, from the committee to whom was referred the petition of James Barber and the report of the Surveyor-General thereon, reported in favor of the petitioner, and obtained leave to bring in a bill entitled "An act for the relief of James Barber," which was read the firſt time and ordered a ſecond reading.

The Attorney-General, to whom was referred the petition of Henry Shute and Peter De Reimer, reported,

That the petitioners claim title to one-ſixth part of a certain eſtate, ſituate in the city and county of New-York; that by their petition it appears, that the title to the farm was conteſted as long ſince as the year 1714, and that about the year 1725, a recovery by courſe of law was had upon a claim adverſe to the title of the anceſtor of the petitioners; and under which recovery, poſſeſſion of the premiſes has been ſince held; that ſubſequent to the late revolution, new ſuits were inſtituted in behalf of the petitioners. On the trial of theſe cauſes, it was offered to impeach the title of the poſſeſſors by evidence, that the ſame originated in fraud. The teſtimony offered on this occaſion, as they alledge, was overruled, and a writ of error was brought, which abated by the deceaſe of the demandant.

This controverſy is altogether of a private nature, and the petitioner does not ſtate any intereſt of the ſtate therein. No peculiar equitable circumſtances are ſuggeſted as affording any claim on the benevolence of the legiſlature, and no legal reaſons exiſt which can be deemed obligatory on the ſtate, to grant to the petitioner the propoſed relief.

The Attorney-General is therefore of opinion, that the prayer of the ſaid petitioners ought not to be granted.

All which is reſpectfully ſubmitted.

JOS. OGDEN HOFFMAN, *Attorney-General.*

*Reſolved*, That this Houſe do concur with the Attorney-General in his ſaid report.

Mr. Storm, purſuant to notice by him for that purpoſe heretofore given, moved for and obtained leave to bring in a bill entitled "An act to enable the mayor, recorder, and aldermen of the city of New-York to order the raiſing monies by tax for the maintenance of the poor, and for defraying the other expenſes ariſing in the city and county of New-York," which was read the firſt time and, by unanimous conſent, was alſo read a ſecond time and committed to a committee conſiſting of the members attending this Houſe from the city and county of New-York.

Mr. King, from the committee to whom was referred the petition of certain inhabitants reſiding between the Seneca and Cayuga lakes, in the county of Onondaga, reported, that the preſent county of Onondaga is very extenſive in its territory; that the weſtern and eaſtern extremes thereof hold the principal population; and that on account both of the ſituation of the population and the extent of the territory, great and manifeſt inconvenience is experienced in the tranſaction of county buſineſs. The committee are therefore of opinion, that the prayer for a new county ought to be granted, and that leave ſhould be given to bring in a bill for ſuch purpoſe; leave being given, Mr. King brought in a bill entitled "An act to erect part of the county of Onondaga into a ſeparate county by the name of ," which was read the firſt time and ordered a ſecond reading.

*Reſolved*, That a committee be appointed to take into conſideration whether any, and if any, what proviſion ought to be made by law for regulating marriages within this ſtate, and report to the Houſe by bill or otherwiſe; and that Mr. Hopkins, Mr. Bruyn, Mr. Furman, Mr. Micheau and Mr. Richardſon be of the ſaid committee.

Then the Houſe reſolved itſelf into a committee of the whole Houſe on the meſſage of his Excellency the Governor of the 12th inſtant, and the letter accompanying the ſame, and after ſome time ſpent thereon, Mr. Speaker reſumed the chair, and Mr. S. Ten Broeck from the ſaid committee reported, that the committee had agreed to a reſolution, which he read, and is in the words following, viz.

*Reſolved*, as the ſenſe of this committee, that a committee be appointed to take

consideration the subject matter contained in the message of his Excellency the Governor, of the 12th instant, and report thereon to the House.

Which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read and agreed to by the House. Thereupon,

*Resolved*, That a committee be appointed to take into consideration the subject matter contained in the message of his Excellency the Governor, of the 12th inst. and report thereon to the House, and that Mr. Burr, Mr. Comstock and Mr. Shurtleff be of the said committee.

Mr. Storm from the committee of the whole House on the bill entitled "An act relative to the court of chancery and the supreme court of this State," reported, that the committee had gone through the bill, made amendments, and agreed to the same, which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read and agreed to by the House.

*Ordered* That the bill be engrossed.

*Ordered*, That the committee of the whole House be discharged from the further consideration of the bill entitled "An act for dividing the town of Broadalbin, in the county of Montgomery," and that the same be committed to a select committee consisting of the members attending this House from the county of Montgomery.

*Ordered*, That Mr. Reynolds and Mr. Root be added to the committee appointed on the 10th instant, to take into consideration that part of the message of his Excellency the Governor, which relates to petit larceny and licensing taverns.

Mr. M'Intyre from the committee of the whole House on the bill entitled "An act to amend an act entitled "An act allowing an annual salary to the Secretary of this State," reported, that the committee had gone through the bill, made amendments, added a clause, and agreed to the same; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read and agreed to by the House.

*Ordered*, That the bill be engrossed.

Mr. Reynolds from the select committee consisting of the members attending this House from the county of Montgomery, to whom was committed the bill entitled "An act for dividing the town of Broadalbin in the county of Montgomery," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, when it was again read and agreed to by the House.

*Ordered*, That the bill be engrossed.

The engrossed bill entitled "An act relative to the court of chancery and the supreme court of this State," was by unanimous consent of the House read the third time.

*Resolved*, That the bill do pass.

*Ordered*, That Mr. Bruyn and Mr. Burling deliver the bill to the Hon. the Senate, and request their concurrence.

Then the House adjourned until ten o'clock to-morrow morning.

TUESDAY, *ten o'clock, A. M. January 15th*, 1799.

The bill entitled "An act to amend an act entitled "An act allowing an annual salary to the secretary of this state," was read the third time.

*Resolved*, That the bill do pass.

The bill entitled "An act for dividing the town of Broadalbin, in the county of Montgomery," was read the third time.

*Resolved*, That the bill do pass.

*Ordered*, That Mr. Burling and Mr. Burr deliver the two last mentioned bills to the Hon. the Senate, and request their concurrence.

The bill entitled "An act to erect a part of the county of Onondaga into a separate county by the name of ," and the bill entitled "An act for the relief of James Barber," were severally read the second time and committed to a committee of the whole House.

A petition of James B. Stewart, praying compensation for opening a road in Hyde township, in the county of Washington, was read and referred to Mr. Reynolds, Mr. Lott and Mr. Joshua Smith.

A petition of David Hawkins, praying a grant of bounty lands for military services, was read and referred to Mr. Fairlie, Mr. Clift, Mr. Pawling, Mr. Shurtleff and Mr. Hopkins.

*Ordered*, That Mr. King and Mr. Hopkins be added to the committee appointed on the 9th inst. to enquire if any and what amendments are neceſſary to be made in the act for the more ſpeedy recovery of debts to the value of ten pounds.

Mr. Reynolds, purſuant to notice by him for that purpoſe heretofore given, moved for and obtained leave to bring in a bill entitled "An act relative to the diviſion of towns," which was read the firſt time and ordered a ſecond reading.

Mr. Shurtleff, from the committee of the whole Houſe on the bill entitled "An act further to alter the charter of the city of Albany, and for other purpoſes," reported, that the committee had gone through the bill, made amendments, and agreed to the ſame, which he was directed to report to the Houſe, and he read the report in his place and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

*Ordered*, That the amendments be engroſſed.

Mr. Dewey, from the committee of the whole Houſe on the bill entitled "An act for the benefit of inſolvent debtors and their creditors," reported, that in proceeding in the ſaid bill, and on the queſtion being put whether the committee did agree to the ſame, it was carried in the affirmative. The yeas and nays being called for by Mr. Speaker, ſeconded by Mr. Van Benthuyſen, were as follows, viz.

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Mr. Abeel | Mr. Crocker | Mr. Henry | Mr. Reynolds |
| Mr. Adams | Mr. Cummings | Mr. Honeywell | Mr. Richardſon |
| Mr. Adgate | Mr. De Witt | Mr. King | Mr. Schermerhorn |
| Mr. Baldwin | Mr. Dodge | Mr. Letevre | Mr. Shurtleff |
| Mr. Barker | Mr. Doty | Mr. C. M'Kinſtry | Mr. A. Smith |
| Mr. Bill | Mr. Fort | Mr. J. M'Kinſtry | Mr. H. Smith |
| Mr. Blake | Mr. French | Mr. Moore | Mr. John Smith |
| Mr. Burt | Mr. Gates | Mr. E. Mott | Mr. P. Ten Broeck |
| Mr. Carpenter | Mr. B. Gilbert | Mr. Oſtrom | Mr. Van Renſelaer |
| Mr. Clark | Mr. E. Gilbert | Mr. Paine | Mr. Veeder |
| Mr. Clift | Mr. Gray | Mr. Pauling | Mr. Waren |
| Mr. Coe | Mr. Hall | Mr. Pearce | Mr. Weſtcott |
| Mr. Comſtock | Mr. Heermance | Mr. Prevoſt | |

*For the Negative.*

| | | | |
|---|---|---|---|
| Mr. Adriance | Mr. Johnſon | Mr. Peck | Mr. Speaker |
| Mr. Arcularius | Mr. Kane | Mr. Philips | Mr. Storm |
| Mr. Bruyn | Mr. Landon | Mr. Robins | Mr. Swartwout |
| Mr. Burling | Mr. C. Lanſingh | Mr. Root | Mr. Tabor |
| Mr. Butler | Mr. J. Lanſingh | Mr. Savage | Mr. Teed |
| Mr. Corl | Mr. Lee | Mr. Schuneman | Mr. S. Ten Broeck |
| Mr. Deitz | Mr. Lott | Mr. Schuyler | Mr. Thomas |
| Mr. German | Mr. M'Intyre | Mr. Skidmore | Mr. Van Benthuyſen |
| Mr. Hoag | Mr. M'Neil | Mr. John M. Smith | Mr. Voorhis |
| Mr. Hogeboom | Mr. Michean | Mr. Joſhua Smith | Mr. Wolfe |
| Mr. Hopkins | Mr. W. Mott | Mr. Philip Smith | |
| Mr. Hunt | Mr. Nexen | Mr. Snell | |

Mr. Dewey further reported, that the committee had gone through the bill, made amendments, added clauſes, and agreed to the ſame; which he was directed to report to the Houſe, and he read the report in his place, and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

*Ordered*, That the bill be engroſſed.

Mr. Oſtrom, from the committee of the whole Houſe on the bill entitled "An act concerning writs of certiorari, and to repeal the ninth ſection of the act entitled "An act concerning courts of oyer and terminer and gaol delivery," reported, that the committee had gone through the bill and agreed to the ſame without amendment, which he was directed to report to the Houſe, and he read the report in his place, and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

*Ordered*, That the bill be engroſſed.

Then the Houſe reſolved itſelf into a committee of the whole Houſe on the bill

vely entitled " An act for the inſpection of fiſh," and after ſome time ſpent thereon, Mr. Speaker reſumed the chair and Mr. Prevoſt, from the ſaid committee, reported progreſs: thereupon,

*Ordered*, That the committee of the whole Houſe be diſcharged from the further conſideration of the ſaid bill, and that the ſame be committed to a ſelect committee conſiſting of Mr. Storm, Mr. Peck and Mr. Heermance.

Mr. Root, according to notice by him for that purpoſe heretofore given, moved for and obtained leave to bring in a bill entitled " An act to encourage the deſtroying wolves and panthers," which was read the firſt time and ordered a ſecond reading.

Mr. Peck, purſuant to notice by him for that purpoſe heretofore given, moved for and obtained leave to bring in a bill entitled " An act to aboliſh impriſonment for debt," which was read the firſt time and ordered a ſecond reading.

A petition of Cornelius I. Bogart and others, of the city of New-York, relative to the act entitled " An act to amend the act entitled " An act to ſettle diſputes concerning the titles to lands in the county of Onondaga," paſſed the 12th February, 1798, was read and referred to Mr. Furman, Mr. King and Mr. Abeel.

Then the Houſe reſolved itſelf into a committee of the whole Houſe on the bill entitled " An act for the relief of Nathan Wilſon and Robert Pennell," and after ſome time ſpent thereon, Mr. Speaker reſumed the chair, and Mr. Johnſon from the ſaid committee, reported, that the committee had gone through the bill, made amendments, and altered the title; that the altered title is " An act for the relief of Nathan Wilſon and the legal repreſentative or repreſentatives of Robert Pennell, deceaſed," which he was directed to report to the Houſe, and he read the report in his place, and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

*Ordered*, That the bill be engroſſed.

Then the Houſe adjourned until ten o'clock to-morrow morning.

WEDNESDAY, *ten o'clock, A. M. January 16th, 1799.*

The bill entitled " An act concerning writs of certiorari, and to repeal the ninth ſection of the act entitled " An act concerning courts of oyer and terminer and gaol delivery" was read the third time.

*Reſolved*, That the bill do paſs.

The bill entitled " An act for the relief of Nathan Wilſon and the legal repreſentative or repreſentatives of Robert Pennell, deceaſed," was read the third time.

*Reſolved*, That the bill do paſs.

*Ordered*, That Mr. Burr and Mr. Burt deliver the two laſt mentioned bills to the Hon. the Senate, and requeſt their concurrence.

The bill entitled " An act for the benefit of inſolvent debtors and their creditors," was read the third time.

Mr. Speaker put the queſtion, whether the ſaid bill ſhould paſs, and it was carried in the affirmative.

The yeas and nays being called for by Mr. Fairlie, ſeconded by Mr. Hoag, were as follows, viz.

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Mr. Abeel | Mr. Cummings | Mr. Lee | Mr. Schermerhorn |
| Mr. Adams | Mr. Dewey | Mr. Lefevre | Mr. Shurtleff |
| Mr. Baldwin | Mr. De Witt | Mr. C. M'Kinſtry | Mr. A. Smith |
| Mr. Bill | Mr. Dodge | Mr. J. M'Kinſtry | Mr. H. Smith |
| Mr. Blake | Mr. Doty | Mr. Moore | Mr. John Smith |
| Mr. Burr | Mr. French | Mr. E. Mott | Mr. Snell |
| Mr. Burt | Mr. B. Gilbert | Mr. Oſtrom | Mr. P. Ten Broeck |
| Mr. Campbell | Mr. E. Gilbert | Mr. Paine | Mr. Van Renſſelaer |
| Mr. Clark | Mr. Gray | Mr. Pauling | Mr. Veeder |
| Mr. Clift | Mr. Hall | Mr. Pearce | Mr. Waren |
| Mr. Coe | Mr. Heermance | Mr. Prevoſt | Mr. Weſtcott |
| Mr. Comſtock | Mr. Henry | Mr. Reynolds | Mr. Williamſon |
| Mr. Crocker | Mr. King | Mr. Richardſon | |

*For the Negative.*

| | | | |
|---|---|---|---|
| Mr. Adgate | Mr. Hoag | Mr. M'Neil | Mr. Joſhua Smith |
| Mr. Adriance | Mr. Hogeboom | Mr. Michean | Mr. Philip Smith |
| Mr. Arcularius | Mr. Honeywell | Mr. W. Mott | Mr. Storm |
| Mr. Barker | Mr. Hopkins | Mr. Nexen | Mr. Swartwout |
| Mr. Boyd | Mr. Hunt | Mr. Peck | Mr. Tabor |
| Mr. Bruyn | Mr. Johnſon | Mr. Philips | Mr. Teed |
| Mr. Burling | Mr. Kane | Mr. Robins | Mr. S. Ten Broeck |
| Mr. Butler | Mr. Landon | Mr. Root | Mr. Van Benthuyſen |
| Mr. Corl | Mr. C. Lanſingh | Mr. Savage | Mr. Voorhis |
| Mr. Fairlie | Mr. J. Lanſingh | Mr. Schuneman | Mr. Wolfe |
| Mr. Furman | Mr. Lott | Mr. Skidmore | |
| Mr. German | Mr. M'Intyre | Mr. John M. Smith | |

Thereupon, *Reſolved*, That the bill do paſs.

*Ordered*, That Mr. Burt and Mr. Butler deliver the bill to the Hon. the Senate, and requeſt their concurrence.

The bill entitled "An act relative to the diviſion of towns," and the bill entitled "An act to encourage the deſtroying wolves and panthers," were ſeverally read the ſecond time and committed to a committee of the whole Houſe.

A meſſage from the Hon. the Senate, delivered by Cantine and Mr. Clinton, with the bill therein mentioned, was read, that the Senate have paſſed the bill entitled "An act to provide more effectually for the ſettlement of accounts between the ſtate and individuals, and the recovery of debts due to this ſtate," to which they requeſt the concurrence of this Houſe. The ſaid bill was read the firſt time and ordered a ſecond reading.

A petition of Abraham Ten Eyck, Richard Luſh and others, praying, for the reaſons therein ſet forth, to be exonerated from the payment of certain mortgages for lands purchaſed by them at the Surveyor-General's ſales in 1796, and for which ſuits have been inſtituted againſt them, was read and referred to Mr. Oſtrom, Mr. Veeder and Mr. Teed.

A petition of William Cockburn, of Kingſton, relative to a military claſs right of lands, was read and referred to Mr. Moore, Mr. E. Mott and Mr. Schuneman.

A petition of Cornelia Blaau and Jotham Poſt, jun. ſurviving adminiſtrators of Eleanor Blaau, late of the city and county of New-York, widow, praying a law to enable them to receive from the treaſury the amount of the dower of the ſaid Eleanor Blaau, from the death of her huſband, whoſe eſtate was confiſcated, with ſundry papers accompanying the ſame, were read and referred to Mr. Robins, Mr. Hoag and Mr. H. Smith.

A petition of Joſeph Hawkins, praying to be allowed, by law, to diſpoſe of tickets within this ſtate, in a lottery granted by the ſtate of Vermont, the benefit whereof is intended to enable the petitioner to proſecute a voyage to Europe for the recovery of his ſight, was read and referred to Mr. P. Smith, Mr. Henry and Mr. Doty.

A petition of Jaſper Ward and others, relative to erecting a bridge acroſs Eaſt-Cheſter creek, and a road through Pelham, in Weſtcheſter county, and a remonſtrance of Philip Pell and others againſt the erection thereof, were ſeverally read and referred to Mr. Honeywell, Mr. Burling and Mr. W. Mott.

Mr. King, from the committee to whom was referred the petition of Samuel Bear, reported, that in the year 1792 the ſaid Samuel made an actual ſettlement on a tract of land in the townſhip of Romulus, joining the Seneca river; that he held it by leaſe from the Cayuga Indians, by their free and voluntary conſent; that the land which he ſo held and improved is part of that particular tract on the ſouthern ſide of the Seneca river, reſerved by the Cayugas "for landing, encamping and curing eels;" that by an act paſſed in the 18th ſeſſion, it was provided and intended that the remainder and reverſion of all lands ſo held ſhould accrue to the benefit and behoof of the occupants; that as the particular reſervations on the Seneca river are not definitely ſet forth in the covenant between the people of this State and the Cayuga nations, it thence follows that the ſaid Samuel did not retain his certificate of occupancy nor of courſe purſue certain other meaſures required by the ſaid act. The committe, however, are of opinion, that as the ſaid Samuel has very indaſtri-

ſly proſecuted his improvements, together with the uſeful building of mills, &c. d ſeems not to have ſuffered prejudice by laches of his own, the ſaid Samuel ght to be conſidered by the legiſlature; and they aſk leave to bring in a bill for s relief.

*Ordered*, That the conſideration of the ſaid report be poſtponed untill to-morrow.

Mr. Bruyn, from the committee to whom were referred the petitions of Edward rhans and Jonas Smith, reported, that that part of the town of New-Paltz which e petitioners pray to have annexed to the town of Hurley has heretofore been nſidered as part of the town of Hurley until ſome time laſt fall, when a ſettlement the line between the two patents was made and found to belong to the Paltz tent, and the committee likewiſe are authoriſed to ſay, that the inhabitants of New-altz have no objection that the ſame be annexed to the town of Hurley. The mmittee are therefore of opinion, that the prayer of the petitioners ought to be anted, and have prepared a bill for that purpoſe, and aſk leave to bring in the me. Leave being given, Mr. Bruyn brought in the ſaid bill entitled "An act to nex part of the town of New-Paltz, in the county of Ulſter, to the town of Hur-y in ſaid county," which was read the firſt time and ordered a ſecond reading.

*Reſolved*, That a committee be appointed to enquire and report whether any, and any, what alterations and amendments are neceſſary to be made in the act for gulating elections within this ſtate; and that Mr. Dewey, Mr. Swartwout, Mr. lift, Mr. Comſtock and Mr. Kane, be of the ſaid committee.

Mr. Fairlie aſked for and obtained leave of abſence for two weeks.

Then the Houſe reſolved itſelf into a committee of the whole Houſe on the bill ntitled "An act for the relief of James Barber," and after ſome time ſpent thereon, Mr. Speaker reſumed the chair, and Mr. Philip Smith, from the ſaid committee, reported, that the committee had gone through the bill and agreed to the ſame with-ut amendment, which he was directed to report to the Houſe, and he read the re-ort in his place and delivered the ſame in at the table, where it was again read and greed to by the Houſe.

*Ordered*, That the bill be engroſſed.

Mr. Burr, from the committee appointed to take into conſideration the ſubject matter contained in the meſſage of his Excellency the Governor of the 12th inſt. reported, that they have taken into conſideration the difficulties mentioned in the aid meſſage and letter accompanying the ſame, and are of opinion that proviſion hould be made by law in the premiſes, and that the the committee have prepared bill for that purpoſe, and directed their chairman to aſk for leave to bring in the ame. Leave being given, Mr. Burr brought in the ſaid bill entitled "An act pro-iding for the expenſes of ſuits in which the people of this ſtate are intereſted," hich was read the firſt time and ordered a ſecond reading.

Then the Houſe adjourned until eleven o'clock to-morrow morning.

THURSDAY, *eleven o'clock*, *A. M. January 17th*, 1799.

The engroſſed bill entitled "An act for the relief of James Barber," was read he third time.

Mr. Hopkins made a motion that the Houſe ſhould agree to add a clauſe to the aid bill, which was read, and is in the words following, viz.

*And be it further enacted*, That it ſhall and may be lawful for the commiſſioners of he land-office, and they are hereby empowered and required when they grant the and mentioned and intended to be granted in and by the act, for the relief of E-benezer Mott, to grant the ſame to him, his heirs and aſſigns forever, any omiſſion f words to that effect in the ſaid act notwithſtanding.

Mr. Speaker put the queſtion, whether the Houſe did agree to the ſaid clauſe, nd it was carried in the affirmative.

Mr. Hopkins then made a motion that the words "*and to amend the act for the re-lief of Ebenezer Mott*," ſhould be added to the title of the ſaid bill, and the queſtion eing put thereon, it was carried in the affirmative.

The bill entitled "An act further to alter the charter of the city of Albany, and or other purpoſes," with the engroſſed amendments, was read the third time.

*Reſolved*, That the bill do paſs.

*Ordered*, That Mr. Burt and Mr. Butler deliver the bill, with the amendments,

to the Hon. the Senate, and inform them that this Houſe have paſſed the ſame, with the amendments therewith delivered.

The bill entitled "An act to provide more effectually for the ſettlement of accounts between this ſtate and individuals, and the recovery of debts due to the ſtate;" the bill entitled "An act providing for the expenſes of ſuits in which the people of this ſtate are intereſted," and the bill entitled "An act to annex part of the town of New-Paltz, in the county of Ulſter, to the town of Hurley in ſaid county," were ſeverally read the ſecond time and committed to a committee of the whole Houſe.

A petition of John Fraſer, praying a grant of vacant lands in the county of Schoharry, was read and referred to Mr. Deitz, Mr. Swart and Mr. Pauling.

A petition of Jer. Van Renſſelaer, in behalf of himſelf and his aſſociates, relative to lands on the ſouth-eaſt ſide of the river St. Lawrence, was read and referred to the Surveyor-General to report a ſtate of facts.

A petition of John Williams and others, inhabitants of the town of Salem, in the county of Waſhington, praying amendments to the exiſting laws for ſuppreſſing vice and immorality, was read and referred to Mr. Storm, Mr. Adgate, Mr. German, Mr. Savage and Mr. H. Smith.

A petition of Elias Quereau, of the county of Weſtcheſter, relative to a ferry and mills in the ſaid county, was read and referred to the Attorney-General.

A petition of Chriſtopher P. Yates, clerk of the county of Montgomery, praying payment for certain ſervices performed by him, was read and referred to Mr. Baldwin, Mr. Barker and Mr. Burt.

A petition of Joſeph Kline, of Schachticoke, in the county of Renſſelaer, relative to re-building the bridge over the Hoofick river, in the town of Schachticoke, was read and referred to the members attending this Houſe from the county of Renſſelaer.

A petition of Levinus Lanſing and others, inhabitants of the county of Renſſelaer, relative to the mode of ſummoning and returning grand jurors, was read and referred to Mr. Burr, Mr. King, Mr. Gray, Mr. Hall and Mr. Comſtock.

A petition of Thomas Wooley and others, of Queen's county, praying an augmentation of the rates of ferriage allowed ſaid Wooley by law, was read and referred to Mr. Bill, Mr. Campbell and Mr. Tabor.

Mr. Reynolds, from the committee to whom was referred the petition of James B. Stewart, reported, that the petitioner, encouraged by a certain White Matlack, undertook and completed the opening of the road mentioned in his petition; but as no inducement was ever given by this ſtate, or any perſon authorized thereby, and as the ſaid road is not of general utility to this ſtate, the committee are of opinion that the prayer of the petitioner ought not to be granted.

*Reſolved*, That this Houſe do concur with the committee in their ſaid report.

*Reſolved*, That the Rev. Mr. O'Brien be, and he is hereby appointed one of the chaplains to this Houſe.

Purſuant to the order of the day the Houſe reſolved itſelf into a committee of the whole Houſe on the bill entitled "An act for the aſſeſſment and collection of taxes within this State," and after ſome time ſpent thereon, Mr. Speaker reſumed the chair, and Mr. Shurtleff in behalf of Mr. Fairlie, from the ſaid committee, reported progreſs. Thereupon,

*Ordered*, That the committee of the whole Houſe be diſcharged from the further conſideration of the ſaid bill, and that the ſame be committed to a ſelect committee conſiſting of Mr. Burr, Mr. Comſtock, Mr. Peck, Mr. Bill, Mr. King, Mr. Williamſon and Mr. John Smith.

A copy of a reſolution of the Hon. the Senate, delivered by Mr. Clinton and Mr. Foote, was read, and is in the words following, viz.

*Reſolved*, (if the Hon. the Aſſembly concur herein) that Alſop Vail and others, proprietors of the ſwamp and bog meadow, commonly called the Little Binne Water, in the town of Deerpark, in the county of Orange, have leave to preſent to either Houſe of the Legiſlature, at their next meeting, a bill to authorize them to raiſe a ſum not exceeding five hundred dollars, by aſſeſſment upon the proprietors of the ſaid ſwamp and bog meadows, agreeably to the prayer of their petition; provided the petitioners cauſe a copy of this reſolution to be publiſhed for ſix weeks ſucceſ-

the public newſpaper, printed in the town of Goſhen, to the end that any perſon or perſons who may conceive their intereſt affected thereby, may appear at the bar of either Houſe of the Legiſlature and ſhew cauſe, if any they have, againſt the paſſing of ſuch bill.

*Reſolved*, That this Houſe do concur with the Hon. the Senate in their ſaid preceding reſolution.

*Ordered*, That Mr. Butler and Mr. Campbell deliver a copy of the preceding reſolution of concurrence to the Hon. the Senate.

Then the Houſe reſolved itſelf into a committee of the whole houſe on the bill entitled "An act providing for the expenſes of ſuits in which the people of this ſtate are intereſted," and after ſome time ſpent thereon, Mr. Speaker reſumed the chair, and Mr. Heermance from the ſaid committee, reported, that the committee had gone through the bill without amendment and agreed to the ſame, which he was directed to report to the Houſe, and he read the report in his place, and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

*Ordered* That the bill be engroſſed.

Mr. Reynolds purſuant to notice by him for that purpoſe heretofore given, moved for and obtained leave to bring in a bill entitled "An act to amend the act entitled "An act to regulate highways," which was read the firſt time and ordered a ſecond reading.

Then the Houſe reſolved itſelf into a committee of the whole Houſe on the bill entitled "An act to amend an act entitled "An act to aſcertain weights and meaſures within this State," and after ſome time ſpent thereon, Mr. Speaker reſumed the chair, and Mr. Lott from the ſaid committee reported progreſs. Thereupon,

*Ordered*, That the committee of the whole Houſe be diſcharged from the further conſideration of the ſaid bill, and that the ſame be committed to a ſelect committee conſiſting of Mr. Swartwout, Mr. Peck and Mr. J. Lanſingh.

Then the Houſe adjourned until eleven o'clock to-morrow morning.

FRIDAY, *eleven o'clock, A. M. January 18th*, 1799.

Mr. Savage made a motion that the Houſe ſhould re-conſider their reſolution entered into yeſterday, appointing the Rev. Mr. O'Brien one of the chaplains to this Houſe.

Mr. Speaker put the queſtion, whether the Houſe did agree to the motion of Mr. Savage, and it paſſed in the negative.

The yeas and nays being called for by Mr. J. Lanſingh, ſeconded by Mr. Boyd, were as follows, viz.

*For the Negative.*

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|---|---|---|---|
| Mr. Adams | Mr. De Witt | Mr. J. Lanſingh | Mr. Root |
| Mr. Adgate | Mr. Dodge | Mr. Lee | Mr. Schermerhorn |
| Mr. Adriance | Mr. Doty | Mr. Lott | Mr. Skidmore |
| Mr. Arcularius | Mr. Fort | Mr. M'Intyre | Mr. A. Smith |
| Mr. Baldwin | Mr. French | Mr. C. M'Kinſtry | Mr. H. Smith |
| Mr. Barker | Mr. German | Mr. J. M'Kinſtry | Mr. John Smith |
| Mr. Blake | Mr. B. Gilbert | Mr. Michean | Mr. John M. Smith |
| Mr. Boyd | Mr. E. Gilbert | Mr. Moore | Mr. Joſhua Smith |
| Mr. Bruyn | Mr. Gray | Mr. E. Mott | Mr. Philip Smith |
| Mr. Burling | Mr. Hall | Mr. W. Mott | Mr. Swartwout |
| Mr. Burr | Mr. Heermance | Mr. Oſtrom | Mr. Tabor |
| Mr. Burt | Mr. Henry | Mr. Paine | Mr. Teed |
| Mr. Butler | Mr. Hoag | Mr. Pauling | Mr. P. Ten Broeck |
| Mr. Campbell | Mr. Hogeboom | Mr. Pearce | Mr. S. Ten Broeck |
| Mr. Clift | Mr. Honeywell | Mr. Peck | Mr. Thomas |
| Mr. Coe | Mr. Hopkins | Mr. Philips | Mr. Van Benthuyſen |
| Mr. Crocker | Mr. Johnſon | Mr. Prevoſt | Mr. Van Renſſelaer |
| Mr. Cummings | Mr. Landon | Mr. Reynolds | Mr. Weſtcott |
| Mr. Dewey | Mr. C. Lanſingh | Mr. Robins | Mr. Wolfe 76 |

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Mr. Abeel | Mr. M'Neil | Mr. Schuneman | Mr. Shurtleff |
| Mr. Bill | Mr. Nexen | Mr. Schuyler | Mr. Storm 10 |
| Mr. Clark | Mr. Savage | | |

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The engroſſed bill entitled "An act for the relief of James Barber, and to amend the act for the relief of Ebenezer Mott," was read the third time.

*Reſolved*, That the bill do paſs.

The engroſſed bill entitled "An act providing for the expenſes of ſuits in which the people of this ſtate are intereſted," was read the third time.

*Reſolved*, That the bill do paſs.

*Ordered*, That Mr. Campbell and Mr. Carpenter deliver the two laſt mentioned bills to the Hon. the Senate and requeſt their concurrence.

The bill entitled "An act to amend the act entitled "An act to regulate high-ways," was read the ſecond time; and upon the queſtion being put that the ſaid bill be committed to a committee of the whole Houſe, it paſſed in the negative.

A meſſage from the Hon. the Senate, delivered by Mr. Foote and Mr. Frey, with the bill therein mentioned was read, that the Senate have paſſed the bill entitled "An act relative to the court of chancery and the ſupreme court of this ſtate," with the amendments therewith delivered.

The bill with the amendments having been read, and the amendments having been read a ſecond time, ſome of them were concurred in, and others of them were not concurred in by the Houſe; thereupon,

*Reſolved*, That this Houſe do concur with the Hon. the Senate in ſuch of the amendments as are for that purpoſe particularly deſignated on the margin of the ſaid amendments, and do not concur in the other amendments.

*Ordered*, That Mr. Carpenter and Mr. Clark deliver the bill and amendments, and a copy of the preceding reſolution to the Hon. the Senate.

A copy of a reſolution of the Hon. the Senate, delivered by Mr. Foote and Mr. Frey, with the bill and amendments therein mentioned, was read, that the Senate do concur with this Houſe in their firſt amendment to the bill entitled "An act further to alter the charter of the city of Albany, and for other purpoſes," and do not concur in the other amendments to the ſaid bill.

The bill and the amendment which was not concurred in were read and conſidered; thereupon,

*Reſolved*, That this Houſe do adhere to their amendment to the ſaid bill which was not concurred in by the Hon. the Senate.

*Ordered*, That Mr. Carpenter and Mr. Clark deliver the bill and amendment and a copy of the preceding reſolution to the Hon. the Senate.

A petition of the truſtees of Union College, in the city of Schenectady, relative to the ſaid College, was read and referred to Mr. Bill, Mr. Baldwin and Mr. Veeder.

A petition of Barzillai King and others, inhabitants of the town of Ovid, in the county of Onondaga, praying that the legiſlature will not grant the prayer of the petition of Jonas C. Baldwin and others, was read and referred to Mr. Richardſon, Mr. King and Mr. A. Smith.

A petition of Jabez Johnſon, praying compenſation for certain cannon taken for public uſe in the year 1775, was read and referred to Mr. Boyd, Mr. Corl and Mr. C. Lanſingh.

Mr. A. Smith, from the committee to whom was referred the petition of Stephen Hunt, reported, that it appears from the documents accompanying the ſaid petition, that on the 24th May, 1776, Stephen Fowler, of Northcaſtle, in the county of Weſtcheſter, executed a bond to William Hunt, of the ſame place, conditioned for the payment of 40l. on the 24th May, in the then next year, with lawful intereſt, and that the ſaid William Hunt has ſince aſſigned over the ſaid bond to Stephen Hunt; and it alſo appears that the eſtate of the ſaid Stephen Fowler was confiſcated and ſold by the commiſſioners of forfeitures, and there is now in the treaſury two hundred and nineteen pounds of the eſtate of the ſaid Stephen Fowler: it further appears, that neither the ſaid William Hunt nor Stephen Hunt have received any part of the principal or intereſt on the ſaid bond. The committee are therefore of opinion, that the prayer of the petitioner ought to be granted; that they have prepared a bill for ſuch purpoſe, and have directed him to move for leave to bring in the ſame. Leave being given, Mr. Smith brought in the ſaid bill entitled "An act for the relief of Stephen Hunt," which was read the firſt time and ordered a ſecond reading.

Mr. S. Ten Broeck, from the committee to whom was referred the petition of hilip Rockefeller and others, reported, that the committee have examined into the erits of the complaint ſet forth in the petition, and are convinced that the wood nd in Germantown is held in ſmall portions by a great number of proprietors, d that ſaid wood land has laid unincloſed a great number of years, and that there e a conſiderable number of private and obſcure roads leading through the ſame; at it would be of great utility to the proprietors of the ſaid wood land, in prooting the growth of young wood, to have the ſame incloſed; but as the exiſting ad law will not permit the proprietors to put that deſirable object into execuon without making lanes for ſuch private roads, which would cauſe a great deruction of wood, excluſive of the labor occaſioned thereby. The committee are erefore of opinion, that the petitioners are entitled to relief, and have directed im to move for leave to bring in a bill for that purpoſe. Leave being given, Mr. en Broeck brought in the ſaid bill entitled "An act for the relief of the proprieors of wood land, lying in Germantown, in the county of Columbia," which was ad the firſt time and ordered a ſecond reading.

Mr. Thomas purſuant to notice by him for that purpoſe heretofore given, moved r and obtained leave to bring in a bill entitled "An act to amend the act to reulate ſales on execution, and to repeal the act entitled "An act to repeal the act or regulating ſales on execution ſo far as reſpects goods and chattels, and providng for the payment of advertiſements on ſales of real eſtates," which was read the irſt time and ordered a ſecond reading.

Mr. Swartwout purſuant to notice by him for that purpoſe heretofore given, noved for and obtained leave to bring in a bill entitled "An act for the gradual bolition of ſlavery in the ſtate of New-York," which was read the firſt time and rdered a ſecond reading.

Then the Houſe reſolved itſelf into a committee of the whole Houſe on the meſage of his Excellency the Governor of the 7th inſtant, and the letter accompanyng the ſame, and after ſome time ſpent thereon, Mr. Speaker reſumed the chair, nd Mr. Baldwin from the ſaid committee reported, that the committee had agreed o a reſolution, which he read, and is in the words following, viz.

*Reſolved*, as the ſenſe of this committee, that a committee be appoinied to take nto conſideration the meſſage of his Excellency the Governor of the 7th inſtant, nd the letter accompanying the ſame; and that they report thereon to the Houſe.

Which he was directed to report to the Houſe, and he read the report in his lace, and delivered the ſame in at the table, where it was again read and agreed o by the Houſe. Thereupon,

*Reſolved*, That a committee be appointed to take into conſideration the meſage of his Excellency the Governor of the 7th inſtant, and the letter accompanyng the ſame, and report thereon to the Houſe, and that Mr. Burling, Mr. Campbell and Mr. Carpenter be of the ſaid committee.

A meſſage from the Hon. the Senate, delivered by Mr. Frey and Mr. Ganſeoort, with the bill therein mentioned, was read, that the Senate have paſſed the ill entitled "An act for dividing the town of Broadalbin in the county of Montomery," without amendment.

*Ordered*, That Mr. Clark and Mr. Clift deliver the bill to the Hon. the Council f Reviſion.

A meſſage from the Hon. the Senate, alſo delivered by Mr. Frey and Mr. Ganſevoort, with the bill therein mentioned, was read, that the Senate have paſſed he bill entitled "An act to annex part of the town of Colcheſter in the county f Delaware to the town of Walton in ſaid county," with the amendment therewith delivered.

The bill and the amendment were read, and the amendment having been read he ſecond time, was concurred in by the Houſe, and the bill ordered to be amendd accordingly.

*Ordered*, That Mr. Clark and Mr. Clift deliver the bill to the Hon. the Senate, nd inform them that this Houſe have concurred in the amendment to the ſaid ill, and have amended the ſame accordingly.

Mr. Van Renſſelaer purſuant to notice by him for that purpoſe heretofore giv-

en, made a motion that the Houſe ſhould agree to a reſolution which he read, and is in the words following, viz.

*Reſolved*, (if the Hon. the Senate concur herein) That the Senators and Repreſentatives of this ſtate, in the Congreſs of the United States be, and they are hereby requeſted to uſe their beſt endeavours that Congreſs propoſe to the Legiſlatures of the ſeveral ſtates, the following amendments to the conſtitution of the United States, viz. 1ſt. That (in addition to the other qualifications preſcribed by the ſaid conſtitution) no perſon ſhall hereafter be eligible as Preſident or Vice-Preſident of the United States, nor ſhall any perſon be a Senator or Repreſentative in the Congreſs of the United States, nor ſhall any perſon be appointed a Secretary of State, or a Secretary of War, or a Secretary of the Treaſury, or a Secretary of the Navy, or Commander in chief of the Army, or firſt Admiral of the Navy of the United States, except a natural born citizen, or unleſs he ſhall have been a reſident in, and citizen of the United States on the 4th day of July, 1783, and ſhall have continued either to reſide within the ſame or to be employed in its ſervice from that period to the time of his election.

*Reſolved*, 2d. That the electors of the Preſident and Vice-Preſident of the United States, ſhall deſignate upon their ballots the name of the perſon they elect to either of the above offices.

Mr. Shurtleff made a motion that the Houſe ſhould agree to a ſubſtitute in lieu of the reſolutions propoſed by the motion of Mr. Van Renſſelaer, which he read, and is in the words following, viz.

Whereas hiſtory affords ample teſtimony that the greateſt evils are to be apprehended from the introduction of foreign influence into the councils of a nation:

And whereas it is highly expedient that ſuch evils ſhould be guarded againſt as far as conſtitutional barriers can be interpoſed, to prevent the introduction of ſuch influence into the national councils of the United States of America, by ſo amending the conſtitution thereof as to effect and ſecure, in the beſt manner, the great objects for which it was deſigned. Therefore,

*Reſolved*, if the Hon. the Senate concur herein, that the Senators and Repreſentatives of this ſtate, in the Congreſs of the United States, be, and they are hereby requeſted to uſe their beſt endeavors that Congreſs propoſe to the Legiſlatures of the ſeveral ſtates the following amendment to the conſtitution of the United States, viz. That (in addition to the diſqualifications contained in the ſaid conſtitution) no perſon other than a natural born citizen of the United States ſhall hereafter be eligible to the office of Preſident or Vice Preſident of the United States, or to the office of a Senator or Repreſentative in the Congreſs of the United States, except ſuch perſons of foreign birth who have become citizens of the United States, and have been or now are either Senators or Repreſentatives in the Congreſs of the United States, and except ſuch perſons of foreign birth as were reſident in the United States at the time of the declaration of Independence, and ſhall have continued either to reſide within the ſame, or to be employed in its ſervice from that period to the time of his election.

And whereas the ſpirit of amity and mutual conceſſion which produced the conſtitution, ought always to be obſerved in the propoſition and adoption of any amendment to the ſame: Therefore,

*Reſolved further*, That in caſe the Senators and Repreſentatives of this ſtate in Congreſs, ſhall find that the amendment propoſed in the preceding reſolution are not perfectly conformable to the wiſhes of a conſtitutional majority of both branches of the National Legiſlature, they are hereby requeſted ſo to modify the ſame as to meet the ſentiments of ſuch majority. *Provided however*, and it is the wiſh and opinion of this Legiſlature, that any amendments which may be agreed upon, ſhould exclude, at all events, from a ſeat in either branch of Congreſs, any perſon who ſhall not have been actually naturalized at the time of making this amendment, and have been admitted a citizen of the United States fourteen years at leaſt at the time of ſuch election, except as before excepted in the preceding reſolution."

Thereupon, *Ordered*, That the conſideration of the ſaid reſolutions be poſtponed.

Then the Houſe adjourned until eleven o'clock to-morrow morning.

SATURDAY, *eleven o'clock, A. M. January 19th, 1799.*

The bill entitled "An act for the gradual abolition of ſlavery in the ſtate of New-York," the bill entitled "An act for the relief of the proprietors of wood and lying in Germantown in the county of Columbia," the bill entitled "An act for the relief of Stephen Hunt," and the bill entitled "An act to amend the act to regulate ſales on execution, and to repeal the act entitled "An act to repeal the act for regulating ſales on execution, ſo far as reſpects goods and chattels, and providing for the payment of advertiſements on ſales of real eſtates," were ſeverally read the ſecond time, and committed to a committee of the whole Houſe.

The petition of Nehemiah Mead and others, was read, and referred to the committee of the whole Houſe when on the bill entitled "An act for the relief Charles Legget, Nehemiah Mead and others."

The Houſe proceeded to the conſideration of the remonſtrance of John Thurman to the prayer of the petition heretofore preſented by the ſaid Nehemiah Mead and others: Thereupon,

*Ordered*, That the ſaid remonſtrance be committed to the committee of the whole Houſe when on the ſaid laſt mentioned bill.

Mr. Richardſon moved for and obtained leave of abſence for three weeks.

Mr. Arcularius from the committee to whom was referred the petition of Abraham Bloodgood and others, reported, that the committee have maturely conſidered the ſubſtance of the ſaid petition, and in conſequence thereof have carefully examined the exiſting laws for the inſpection of ſoal leather. The committee are of opinion that the ſaid laws are not calculated to promote the manufacture of this valuable and important article. They are therefore of opinion that the prayer of the petitioners ought to be granted; that they have prepared a bill for that purpoſe, and have directed him to move for leave to bring in the ſame.

Leave being given, Mr. Arcularius brought in the ſaid bill entitled "An act to encourage and improve the manufacture and provide for and regulate the inſpection of ſoal leather, likewiſe to guard againſt the gaſhing and cutting of hides and ſkins," which was read the firſt time and ordered a ſecond reading.

Mr. Philip Smith from the committee appointed to inſpect what laws have expired or are near expiring, and from time to time to report to the Houſe which of them they judge neceſſary to be revived or continued, and likewiſe what new laws they ſhall conceive neceſſary to be made for the benefit of this ſtate, reported, that the act for the appointment of a treaſurer, paſſed 16th March, 1798, will expire in 60 days after the firſt day of the preſent meeting of the Legiſlature. The committee have therefore prepared a bill for the appointment of a treaſurer, and have directed him to move for leave to bring in the ſame. Leave being given, Mr. Smith brought in the ſaid bill entitled "An act for the appointment of a treaſurer," which was read the firſt time and ordered a ſecond reading.

Mr. Schuyler in behalf of Mr. Swart, from the committee to whom was referred the petition of the miniſter, elders and deacons of the Reformed Proteſtant high and nether Dutch congregations of the towns of Schoharry and Middleburgh, reported, that the facts ſtated in the petition are true, and that in the opinion of the committee the prayer thereof ought to be granted, and that he was directed to move for leave to bring in a bill for ſuch purpoſe. Leave being given, Mr. Schuyler brought in the ſaid bill, entitled "An act for the relief of the Reformed Proteſtant High and Nether Dutch congregations of the towns of Schoharry and Middleburgh," which was read the firſt time and ordered a ſecond reading.

Then the Houſe reſolved itſelf into a committee of the whole Houſe on the bill entitled "An act for the relief of Charles Legget, Nehemiah Mead and others," and after ſome time ſpent thereon, Mr. Speaker reſumed the chair, and Mr. Dewey from the ſaid committeee reported progreſs: Thereupon,

*Ordered*, That the committee of the whole Houſe be diſcharged from the further conſideration of the ſaid bill, and that the ſame be committed to a ſelect committee conſiſting of Mr. King, Mr. Hopkins and Mr. Comſtock.

Mr. Philip Smith from the committee to whom was referred the petition of Joſeph Hawkins, reported, that taking into conſideration the principles which governed the petitioner on his application to this Houſe, the committee are of

opinion that the voice of humanity, the principles of benevolence, and the dictates of reaſon, as reſpects objects of charity towards the relief of the unfortunate petitioner, require, that the Legiſlature of this ſtate ſhould view with concern and attention the forlorn ſituation of an unfortunate and indigent individual and citizen of this ſtate, deprived of every means of procuring a ſuſtenance for himſelf, who, but for the beneficent act of a ſiſter ſtate, muſt have been reduced to penury and want. And the committee therefore to aſſiſt the unfortunate petitioner, are of opinion that relief ought to be granted him; that they have prepared a bill for that purpoſe, and have directed him to move for leave to bring in the ſame.

Leave being given, Mr. Smith brought in the ſaid bill entitled "An act for the benefit of Joſeph Hawkins," which was read the firſt time and ordered a ſecond reading.

Then the Houſe reſolved itſelf into a committee of the whole Houſe on the bill entitled "An act to encourage the deſtroying wolves and panthers," and after ſome time ſpent thereon, Mr. Speaker reſumed the chair, and Mr. Comſtock from the ſaid committee reported progreſs: Thereupon,

*Ordered*, That the committee of the whole Houſe be diſcharged from the further conſideration of the ſaid bill and that the ſame be referred to a ſelect committee conſiſting of Mr. Williamſon, Mr. Root and Mr. Burr.

Then the Houſe adjourned untill eleven o'clock on Monday morning next.

MONDAY, *eleven o'clock, A. M. January 21ſt*, 1799.

The bill entitled "An act for the benefit of Joſeph Hawkins," the bill entitled "An act for the relief of the reformed proteſtant high and nether Dutch congregations of the towns of Schoharry and Middleburgh, in the connty of Schoharry," the bill entitled "An act to encourage and improve the manufacture, and to provide for and regulate the inſpection of ſoal leather, likewiſe to guard againſt the gaſhing and cutting of hides and ſkins," and the bill entitled "An act for the appointment of a treaſurer," were ſeverally read the ſecond time and committed to a committee of the whole Houſe.

Mr. Gray from the committee to whom was referred the petition of Clark Jennings, reported, that the petitioner did, in the year 1794, tranſport a quantity of arms from Fort Stanwix to Geneva; but as the law paſſed in the year 1795, directing the treaſurer to pay Othniel Taylor and Benjamin Wells ſuch ſum of money as may be certified by the auditor of this ſtate to be due to them for tranſporting the arms and accoutrements from Fort Stanwix to the county of Ontario, the petitioner ought to have his relief from Taylor and Wells. They are therefore of opinion that the petitioner ſhould have leave to withdraw his petition.

*Reſolved*, That this Houſe do agree with the committee in their ſaid report.

*Ordered*, That the petitioner have leave to withdraw his petition.

Mr. B. Gilbert from the committee to whom was referred the petition of Edward Livingſton and John Livingſton, reported, that by an act paſſed the 24th day of March 1795, the Surveyor-General of this ſtate was authorized to aſcertain the eaſtern boundary line of the lands ceded by this ſtate to the commonwealth of Maſſachuſetts; that by the ſaid act the commiſſioners of the land-office were directed to grant an equivalent in value of the unappropriated lands of this ſtate to ſuch perſon or perſons as might hold lands under the title of this ſtate to the weſtward of the line ſo to be run; that the petitioners were proprietors of a tract of land of 16,000 acres under the title of this ſtate, lying to the weſtward of the ſaid eaſtern boundary line run by the Surveyor-General under the ſaid act; that by reaſon of certain difference in opinion which hath ariſen in the mode of determining the value of ſuch equivalent, difficulties have occurred which render the directions of the legiſlature neceſſary for the relief of the petitioners, as appears by a reſolution of the commiſſioners of the land-office accompanying the petition. The committee are therefore of opinion, that the prayer of the petitioners ſhould be granted, and that leave ſhould be given to bring in a bill for that purpoſe, which report was agreed to by the Houſe.

*Ordered*, That leave be given to bring in a bill accordingly.

Mr. Burr from the ſelect committee to whom was committed the bill entitled "An act for the aſſeſſment and collection of taxes in this ſtate," reported, that the com-

mittee deeming it inexpedient to enter upon the details of a bill to eſtabliſh an uniform ſyſtem of taxation until the general principles thereof ſhould have been agreed to; in order to obtain the opinion of the Houſe thereon, ſubmit to their conſideration the following reſolutions.

1. *Reſolved*, That there ought to be eſtabliſhed by law an uniform ſyſtem of taxation founded on the valuation of property real and perſonal.

2. That the valuations of houſes and lands made under the authority of the United States be adopted as the value of real property for the purpoſe of taxation, until other legiſlative proviſion be made in the premiſes.

3. That the increaſe and diminution in the value of any real property be annually reported by the proprietors thereof to the aſſeſſors, and that it be the duty of the latter to notice the ſame reſpectively, under certain penalties.

4. That certain articles of perſonal property to be enumerated be valued at given ſums, to be ſpecified in the law, and ſhall be put in all tax liſts at thoſe rates, without regard to any difference in the actual value of ſubjects of the ſame ſpecies, except as may be diſtinguſhed in the law.

5. That every inhabitant ſhall, upon notice, once in every year, give to the aſſeſſors a liſt of all his perſonal property liable to be taxed.

6. That trades and profeſſions be reſpectively rated at certain ſums, liable to be encreaſed at the diſcretion of the aſſeſſors, ſubject to review and appeal.

7. That there be a review by the aſſeſſors on the application of any perſon ſuppoſing himſelf to be aggrieved, and thence an appeal to the board of ſupervisors.

8. That the ſheriff of each county in this ſtate ought to be empowered and directed, under certain modifications, to ſell real eſtates for taxes thereon impoſed.

9. That all taxes hereafter to be levied under the authority of this ſtate, be laid by a certain per centum on the valuation ſo to be made.

*Ordered*, That the conſideration of the ſaid report and reſolutions be poſtponed until to-morrow.

A meſſage from the Hon. the Senate, delivered by Mr. Ganſevoort and Mr. Gettman, with the bill therein mentioned was read, that the Senate have paſſed the bill entitled "An act to amend the act entitled "An act allowing an annual ſalary to the ſecretary of this ſtate," with the amendment therewith delivered.

The bill and the amendment were read: Thereupon,

*Ordered*, That the conſideration of the ſaid amendment be poſtponed until to-morrow.

A meſſage from the Hon. the Senate, alſo delivered by Mr. Ganſevoort and Mr. Gettman, with the bill therein mentioned was read, that the Senate have concurred in the amendment to the bill entitled "An act further to alter the charter of the city of Albany, and for other purpoſes," and have amended the bill accordingly. The amended bill having been examined,

*Ordered*, That Mr. Crocker and Mr. Cummings return the bill to the Hon. the Senate.

The Hon. the Senate returned, by Mr. Ganſevoort and Mr. Gettman, the bill entitled "An act to annex a part of the town of Colcheſter in the county of Delaware to the town of Walton in ſaid county."

*Ordered*, That Mr. Cummings and Mr. Deitz deliver the bill to the Hon. the Council of Reviſion.

Then the Houſe reſolved itſelf into a committee of the whole Houſe on the bill entitled "An act for the benefit of Joſeph Hawkins," and after ſome time ſpent thereon, Mr. Speaker reſumed the chair, and Mr. Bill from the ſaid committee reported, that after the ſaid bill had been read in the committee, and the enacting clauſe thereof again read and conſidered, Mr. Root made a motion that the bill be rejected; that debates were had on the ſaid motion, and that the queſtion having been put thereon, it was carried in the affirmative; that it was thereupon reſolved as the opinion of the committee that the ſaid bill ſhould be rejected.

Mr. Bill read the report in his place, and delivered the ſame in at the table, where it was again read and concurred in by the Houſe; Thereupon,

*Reſolved*, That the bill entitled "An act for the benefit of Joſeph Hawkins," be rejected.

Mr. P. Smith, purſuant to notice by him for that purpoſe heretofore given, moved for and obtained leave to bring in a bill entitled "An act relative to the clerk's office in the ſeveral counties in this ſtate," which was read the firſt time and ordered a ſecond reading.

Then the Houſe adjourned until ten o'clock to-morrow morning.

TUESDAY, *ten o'clock, A. M. January 22d*, 1799.

The bill entitled "An act relative to the clerk's office in the ſeveral counties of this ſtate," was read the ſecond time and committed to a committee of the whole Houſe.

A petition and remonſtrance of Philip Scott and others, inhabitants of the town of Remſen, remonſtrating againſt the petition of the inhabitants of the town of Trenton, in the county of Oneida, was read and referred to the members attending this Houſe from the county of Oneida,

A petition of Daniel Miller, David Warner and George Warner, praying a grant of vacant land lying in the town of Cobus-Kill, in the county of Schoharry, was read and referred to Mr. Deitz, Mr. Swart and Mr. Pauling.

Mr. Crocker from the committee to whom was referred the petition of Obadiah Knapp and fourteen others, repreſenting that they are reſident, and have made actual ſettlements on lands in the 24th townſhip of Totten and Croſsfield's purchaſe, viz. lots No. 59, 58, 37, 38 and 39, which lands they ſuppoſed belonged to the people of this ſtate, and praying grants thereof ſeverally, reported, that the committee have applied to the Surveyor-General, who informs them, that only two of the ſaid lots, No. 37 and 38, belong to the people of this ſtate. The committee are therefore of opinion, that John Hutchinſon and Iſacher Bates, who petition for a grant of lot No. 37, and Henry Knapp, Parry Pierce and Joſeph Olcott, who petition for a grant of lot No. 38, are entitled to relief, and that the prayer of the ten other petitioners cannot be granted; that the committee have prepared a bill for the relief of the ſaid John Hutchinſon and the other four petitioners, and have directed him to move for leave to bring in the ſame: Thereupon,

*Reſolved*, That this Houſe do agree with the committee in their ſaid report.

*Ordered*, That leave be given to bring in the ſaid bill.

Mr. Crocker, according to leave, brought in the ſaid bill entitled "An act for the relief of John Hutchinſon and others," which was read the firſt time and ordered a ſecond reading.

Then the Houſe proceeded to the conſideration of the amendment of the Hon. the Senate to the bill entitled "An act to amend the act entitled "An act allowing an annual ſalary to the ſecretary of this ſtate." The bill and amendment were read, and the amendment read a ſecond time.

Mr. Speaker then put the queſtion, whether the Houſe did concur with the Hon. the Senate in the ſaid amendment, and it paſſed in the negative: thereupon,

*Reſolved*, That this Houſe do not concur in the ſaid amendment.

*Ordered*, That Mr. Deitz and Mr. De Witt deliver the ſaid bill and a copy of the preceding reſolution to the Hon. the Senate.

The Houſe proceeded to the further conſideration of the reſolutions reported yeſterday from the committee to whom was referred the bill relative to an uniform ſyſtem of taxation; whereupon the ſaid reſolutions being reſpectively again read, were agreed to by the Houſe.

*Ordered*, That a bill be brought in purſuant to the ſaid reſolutions, and that Mr. Burr, Mr. Comſtock, Mr. Peck, Mr. Bill, Mr. King, Mr. Williamſon, Mr. John Smith, Mr. Phillips, Mr. Moore, Mr. A. Smith and Mr. P. Smith do prepare and bring in the ſame.

Mr. Boyd from the committee to whom was referred the petition of Jabez Johnſon, reported, that on examining the ſundry vouchers accompanying the ſaid petition, they are enabled to ſtate the following facts, viz. that his claim is for compenſation for ſixteen cannon, four pounders, which with a number of others, belonging to private perſons, were removed from New-York to Kingſbridge in the year 1775, by which means it appears the petitioner was deprived of his cannon. That in the month of May, in the year 1775, the committee of aſſociation in the city of New-York, by the recommendation of the continental Congreſs, cauſed all

cannon then in the city, which were private property, amounting in number 286, among which were thoſe for which compenſation is now claimed; to be moved to Kingſbridge, ſixty-ſix of them were in the ſame month lent by ſome of the committee to the ſelect men of the town of New-Haven, in Connecticut; it alledged that others of them were ſent to the forts in the Highlands, or put on board the armed veſſels in Hudſon river, and that the remainder fell into the hands of the Britiſh troops. In the year 1784, ſeveral perſons claiming ſome of the cannon ſo removed, had their accounts for the ſame ſettled by the auditor, amounting in the whole to 1,948l. 6s. 8d. for ninety-two cannon, and received certificates for that amount, which have been ſince paid by the ſtate, or loaned to the United States; but after auditing thoſe accounts, the auditor, upon ſome doubt of his authority, refuſed to ſettle any more of them, and ſome of the owners of the cannon not paid for, have ſeveral times ſince applied to the legiſlature for compenſation, but without ſucceſs.

In conſequence of an act of the legiſlature of this ſtate, paſſed the 22d day of March, 1788, the auditor charged the ſtate of Connecticut with the ſixty-ſix cannon delivered to the ſelect men of New-Haven, and charged the remainder of the cannon, ſo removed, to the United States. The account with Connecticut has been ſettled, and there being a balance due to that ſtate, after allowing the charge of the cannon, it was paid by the treaſurer the 19th of May, 1795, and we have every reaſon to believe the amount of the whole cannon was credited by the United States in their account with the ſtate of New-York, as appears by the certificate of Joſeph Nourſe, the Regiſter of the United States.

The claims of the owners of the cannon ſo removed having been rejected by this ſtate, upon the ground that they ought to be made to the United States. The petitioner, Jabez Johnſon, applied to Congreſs for compenſation for his ſixteen cannon, where his claim was rejected principally becauſe it appeared that the cannon were charged by this ſtate to the United States; this induced him to make his application to this ſtate. Under theſe circumſtances your committee are of opinion, that the petitioner ought to receive a compenſation from this ſtate, and beg leave to bring in a bill for that purpoſe.

*Ordered*, That leave be given to bring in the ſaid bill.

Mr. Boyd, according to leave, brought in the ſaid bill entitled "An act for the relief of Jabez Johnſon," which was read the firſt time and ordered a ſecond reading.

The Surveyor-General, to whom was referred the petition of Derick Clute, reported, that he is informed that the lot petitioned for, to wit, lot No. 21, in a patent granted to Jacob Glen, James De Lancey and others, was formerly located by virtue of the then exiſting laws, in the office of the commiſſioners for the Weſtern Diſtrict; but that on a ſuggeſtion that it belonged to a female branch of the De Lancey family not attainted, the location was diſmiſſed. It does not appear, however, that the information on which the commiſſioners acted, and which cannot now be particularly recollected, was ſuch as to preclude all doubt, though ſufficient for them to decline further proceedings on the location made as aforeſaid.

All which is reſpectfully ſubmitted.

SIMEON DE WITT, Surveyor-General.

*Ordered*, That the ſaid report and petition be referred to Mr. Voorhis, Mr. Heermance and M'Intyre.

Mr. Williamſon from the committee to whom was committed the bill entitled "An act to encourage the deſtroying of wolves and panthers," reported, that the committee had gone through the bill and made amendments to the ſame; which report he read in his place, and delivered the bill, with the amendments, in at the table where they were again read: Thereupon,

*Ordered*, That the ſaid bill, with the amendments, be committed to a committee of the whole Houſe.

Mr. Storm from the ſelect committee to whom was committed the bill entitled "An act for the inſpection of fiſh," reported, that the committee had gone through the ſaid bill, made amendments and filled up the blanks, which report he read in his place, and delivered the bill in at the table where it was again read: Thereupon,

*Ordered*, That the ſaid bill be re-committed to a committee of the whole Houſe.

A meſſage from the Hon. the Senate, delivered by Mr. Gettman and Mr. Gold with the bill therein mentioned, was read, that the Senate have paſſed the bill entitled "An act providing for the expenſes of ſuits in which the people of this ſtate are intereſted," with the amendments therewith delivered.

The bill and the amendments were read, and the amendments having been read the ſecond time, were ſeverally not concurred in by the Houſe, except the laſt amendment, which was concurred in: Thereupon,

*Reſolved*, That this Houſe do not concur with the Hon. the Senate in the two firſt amendments, and do concur in the other amendment to the ſaid bill.

*Ordered*, That Mr. De Witt and Mr. Dodge deliver the bill, amendments, and a copy of the preceding reſolution to the Hon. the Senate.

Then the Houſe reſolved itſelf into a committee of the whole Houſe on the bill entitled "An act for regulating and governing the militia of the ſtate of New-York," and after ſome time ſpent thereon, Mr. Speaker reſumed the chair and Mr. P. Smith, from the ſaid committee, reported progreſs and obtained leave to ſit again.

*Reſolved*, That this Houſe will, on Tueſday next, again reſolve itſelf into a committee of the whole Houſe on the ſaid bill.

Mr. B. Gilbert from the committee appointed for the purpoſe, preſented, according to order, a bill entitled "An act for the relief of John and Edward Livingſton," which was read the firſt time and ordered a ſecond reading.

Then the Houſe reſolved itſelf into a committee of the whole Houſe on the bill entitled "An act to provide more effectually for the ſettlement of accounts between this ſtate and individuals, and for the recovery of debts due to this ſtate," and after ſome time ſpent thereon, Mr. Speaker reſumed the chair, and Mr. Prevoſt, from the ſaid committee, reported progreſs and obtained leave to ſit again.

Mr. Wolfe aſked for and obtained leave of abſence for two weeks.

Then the Houſe adjourned until ten o'clock to-morrow morning.

WEDNESDAY, *ten o'clock, A. M. January 23d*, 1799.

The bill entitled "An act for the relief of John Livingſton and Edward Livingſton," the bill entitled "An act for the relief of Jabez Johnſon," and the bill entitled "An act for the relief of John Hutchinſon and others," were ſeverally read the ſecond time and committed to a committee of the whole Houſe.

A petition of Lewis Ranſom and others, inhabitants of the county of Clinton, praying for the erection of a new town from the towns of Champlain and Plattſburgh, was read and referred to Mr. Adgate, Mr. Adams and Mr. Schermerhorn.

A petition of John W. Bloomfield and others, inhabitants of the town of Mexico in the county of Oneida, praying for the erection of a new town, was read and referred to the members attending this Houſe from the county of Oneida.

A petition of Robert W. Jones, an alien, praying to be enabled by law to purchaſe and hold real eſtates within this ſtate, was read and referred to Mr. Van Renſſelaer, Mr. Wolfe and Mr. John M. Smith.

Mr. Oſtrom from the committee to whom was referred the petition of Martin Langdon and others, reported, that from the beſt evidence they can obtain relative to the ſituation and circumſtances of the petitioners, and taking into view the great diſtance and expenſes attending their removal into this country, with other charges incident to all new ſettlements, and the extreme ſcarcity of caſh in ſuch inland countries, the committee are of opinion that unleſs relief is given in the premiſes, many of the petitioners will, if proſecuted by the Attorney-General in behalf of the people of this ſtate to final judgment and execution, be deprived of the neceſſary means for getting a ſupport for themſelves and families, and eventually be the means of removing a very conſiderable part of the actual ſettlers now on the Oneida Reſervation, into other ſtates, or governments; but if a few years indulgence was granted them reſpecting the payment of the intereſt due to the people of this ſtate on their reſpective purchaſes, they would continue to improve their lands and become a valuable part of the community. The committee are therefore of opinion, that the petitioners are entitled to relief; that they have prepared a bill for ſuch purpoſe, and have directed him to move for leave to bring in the ſame. Leave being given, Mr. Oſtrom brought in the ſaid bill, entitled "An act granting relief to actual ſettlers on the Oneida Reſervation," which was read the firſt time and ordered a ſecond reading.

A copy of a reſolution of the Hon. the Senate, delivered by Mr. Gold and Mr. Gordon, with the bill therein mentioned, was read, that the Senate do adhere to their amendments to the bill entitled "An act providing for the expenſes of ſuits in which the people of this ſtate are intereſted," which were not concurred in by this Houſe.

Mr. Burr then made a motion that this Houſe do recede from their non-concurrence to the ſaid amendments; and the queſtion being put thereon, it was carried in the affirmative. Thereupon,

*Reſolved*, That this Houſe do recede from their non-concurrence to the ſaid amendments.

*Ordered*, That the ſaid bill be amended agreeably to the amendments of the Hon. the Senate.

*Ordered*, That Mr. Dodge and Mr. Doty deliver the bill to the Hon. the Senate, and inform them that the ſame is amended accordingly.

A copy of a reſolution of the Hon. the Senate alſo delivered by Mr. Gold and Mr. Gordon, with the bill therein mentioned, was read, that the Senate do adhere to their amendment to the bill entitled "An act relative to the court of chancery and the ſupreme court of this ſtate," which was not concurred in by this Houſe.

Mr. Swartwout then made a motion that this Houſe do recede from their con-concurrence to the ſaid amendment; the queſtion being put thereon, it was carried in the affirmative: Thereupon,

*Reſolved*, That this Houſe do recede from their non-concurrence to the ſaid amendment.

*Ordered*, That the ſaid bill be amended agreeably to the amendment of the Hon. the Senate.

*Ordered*, That Mr. Dodge and Mr. Doty deliver the bill to the Hon. the Senate, and inform them that the ſame is amended accordingly.

A meſſage from the Hon. the Senate, alſo delivered by Mr. Gold and Mr. Gordon, with the bill therein mentioned, was read, that the Senate have paſſed the bill entitled "An act relative to the ſittings of the ſupreme court," to which they requeſt theconcurrence of this Houſe. The ſaid bill was read the firſt time, and by unanimous conſent was alſo read the ſecond time and committed to a committee of the whole Houſe.

Mr. Prevoſt from the committee of the whole Houſe on the bill entitled "An act to provide more effectually for the ſettlement of accounts between this ſtate and individuals, and the recovery of debts due to this ſtate," reported, that in proceeding in the ſaid bill, the firſt enacting clauſe thereof was again read, and is in the words following, viz.

Be it enacted by the people of the ſtate of New-York, repreſented in Senate and Aſſembly, That the Comptroller of this ſtate ſhall be, and hereby is authorized to iſſue a notification to any perſon who has received or ſhall receive monies for which he is, or ſhall be accountable to this ſtate, or in caſe of his death, to his heirs, deviſees, executors or adminiſtrators, requiring him or them to render to the Comptroller, at ſuch time as he ſhall think reaſonable, not leſs than ſixty days, nor more than ninety days from the date of the ſaid notification, all his accounts and vouchers for the expenditure of the ſaid monies; and in default thereof, ſuits at the diſcretion of the Comptroller ſhall be commenced for the ſame without further notice: And the party ſued as aforeſaid, unleſs ſued as heir, deviſee, executor or adminiſtrator, ſhall be ſubject to the coſts and charges of ſuch ſuits, whether the ultimate deciſion ſhall be againſt him or in his favor.

That a motion was made that the committee ſhould agree to re-conſider the amendment agreed to yeſterday, to expunge from the ſaid clauſe the following words: "*And the party ſued as aforeſaid, unleſs ſued as heir, deviſee, executor or adminiſtrator, ſhall be ſubject to the coſts and charges of ſuch ſuits, whether the ultimate deciſion ſhall be againſt him or in his favor;*" that the queſtion being put thereon, it was carried in the affirmative; that a motion was then made that the words ſo expunged by the amendment agreed to in the committee yeſterday, ſhould be reinſerted in the ſaid clauſe; that debates were had, and the queſtion being put thereon, it was carried in the affirmative.

The yeas and nays being called for by Mr. Comſtock, ſeconded by Mr. Joſhua Smith, were as follows, viz.

*For the Affirmative.*

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|---|---|---|---|
| Mr. Abeel | Mr. French | Mr. Lott | Mr. John Smith |
| Mr. Adams | Mr. Furman | Mr. M'Intyre | Mr. John M. Smith |
| Mr. Adgate | Mr. E. Gilbert | Mr. C. M'Kinſtry | Mr. Joſhua Smith |
| Mr. Adriance | Mr. Gray | Mr. J. M'Kinſtry | Mr. Philip Smith |
| Mr. Barker | Mr. Hall | Mr. M'Neil | Mr. Snell |
| Mr. Bill | Mr. Heermance | Mr. Micheau | Mr. Speaker |
| Mr. Burr | Mr. Henry | Mr. E. Mott | Mr. Storm |
| Mr. Butler | Mr. Hoag | Mr. W. Mott | Mr. Swart |
| Mr. Clark | Mr. Hopkins | Mr. Oſtrom | Mr. Tabor |
| Mr. Clift | Mr. Hunt | Mr. Pauling | Mr. Teed |
| Mr. Cummings | Mr. Kane | Mr. Peck | Mr. P. Ten Broeck |
| Mr. Deitz | Mr. Landon | Mr. Philips | Mr. Thomas |
| Mr. Dewey | Mr. C. Lanſingh | Mr. Reynolds | Mr. Van Renſſelaer |
| Mr. De Witt | Mr. J. Lanſingh | Mr. Robins | Mr. Voorhis |
| Mr. Dodge | Mr. Lee | Mr. Schuneman | Mr. Weſtcott |
| Mr. Eort | Mr. Lefevre | Mr. Schuyler | Mr. Williamſon 64 |

*For the Negative.*

| | | | |
|---|---|---|---|
| Mr. Arcularius | Mr. Coe | Mr. Johnſon | Mr. H. Smith |
| Mr. Baldwin | Mr. Comſtock | Mr. Nexen | Mr. Swartwout |
| Mr. Blake | Mr. Corl | Mr. Paine | Mr. S. Ten Broeck |
| Mr. Boyd | Mr. Crocker | Mr. Pearce | Mr. Van Benthuyſen |
| Mr. Bruyn | Mr. German | Mr. Root | Mr. Veeder |
| Mr. Burling | Mr. B. Gilbert | Mr. Savage | Mr. Waren 30 |
| Mr. Burt | Mr. Hogeboom | Mr. Schermerhorn | |
| Mr. Carpenter | Mr. Honeywell | Mr. A. Smith | |

Mr. Prevoſt reported further progreſs, and obtained leave to ſit again.

*Reſolved*, That this Houſe will, on Wedneſday next, reſolve itſelf into a committee of the whole Houſe on the bill entitled "An act for the appointment of a treaſurer."

A meſſage from the Hon. the Senate, delivered by Mr. Gordon and Mr. Graham, with the bill therein mentioned, was read, that the Senate do adhere to their amendment to the bill entitled "An act to amend the act entitled "An act allowing an annual ſalary to the ſecretary of this ſtate."

The ſaid amendment, adhered to by the Senate, being again read, is in the words following, viz.

And be it further enacted, That in lieu of the uſe of the ſaid Houſe, there ſhall be allowed to the ſecretary of this ſtate, the ſum of five hundred dollars per annum, which ſaid ſum ſhall be paid to the ſaid ſecretary in the manner, and at the times preſcribed in the act hereby amended. Thereupon,

*Reſolved*, That a conference be held with the Hon. the Senate on their amendment to the bill entitled "An act to amend the act entitled "An act allowing an annual ſalary to the ſecretary of this ſtate," and that ſuch conference be held on Monday next, at one of the clock in the afternoon, at ſuch place as the Hon. the Senate ſhall be pleaſed to appoint for that purpoſe.

*Reſolved*, That the committee to manage the ſaid conference, on the part of this Houſe, conſiſt of three members.

The Houſe then proceeded, purſuant to the 15th article of the conſtitution of this ſtate, to chooſe, by ballot, a committee to manage the ſaid conference on the part of this Houſe, and the ballots being taken, it appeared that Mr. Comſtock and Mr. Root were duly choſen for that purpoſe, and that there were an equal number of ballots for Mr. King and Mr. Peck, whereupon the Houſe proceeded in like manner to chooſe a third perſon, and the ballots on ſuch ſecond balloting having been taken, it appeared that Mr. King was duly choſen for that purpoſe: Thereupon,

*Reſolved*, That Mr. Comſtock, Mr. Root and Mr. King be a committee to manage the ſaid conference on the part of this Houſe.

*Ordered*, That Mr. Dodge and Mr. Doty deliver a copy of the preceding reſolutions to the Hon. the Senate.

Then the Houſe reſolved itſelf into a committee of the whole Houſe on the bill entitled "An act to annex a part of the town of New-Paltz, in the county of Ulſter, to the town of Hurley in ſaid county," and after ſome time ſpent thereon, Mr.

eaker resumed the chair, and Mr. Storm from the said committee, reported that e committee had gone through the bill, made amendments and agreed to the same, hich he was directed to report to the House, and he read the report in his place, d delivered the bill in at the table, where it was again read and agreed to by the ouse.

*Ordered*, That the bill be engrossed.

Mr. Dewey pursuant to notice by him for that purpose heretofore given, moved r and obtained leave to bring in a bill entitled "An act to amend an act entitled An act for appointing a Comptroller in this state," which was read the first time d ordered a second reading.

Mr. King from the select committee to whom was committed the bill entitled An act for the relief of Charles Legget, Nehemiah Mead and others," reported, at the committee had gone through the said bill, made amendments, and added auses thereto, which report he read in his place, and delivered the bill in at the ble, where it was again read: Thereupon,

*Ordered*, That the said bill be recommitted to a committee of the whole House.

Then the House adjourned until ten o'clock to-morrow morning.

THURSDAY, *ten o'clock, A. M. January 24th*, 1799.

The engrossed bill entitled "An act to annex a part of the town of New-Paltz, in e county of Ulster, to the town of Hurley in said county," was read the third time.

*Resolved*, That the bill do pass.

*Ordered*, That Mr. Dodge and Mr. Doty deliver the bill to the Hon. the Senate, nd request their concurrence.

The bill entitled "An act to amend the act entitled "An act for appointing a omptroller in this state," and the bill entitled "An act granting relief to actual ettlers on the Oneida reservation," were severally read the second time and committed to a committee of the whole House.

A petition of William Gordon and Silvanus Wilcox, relative to rebuilding the ridge over the Schoharry creek, was read and referred to Mr. Fort, Mr. Gray and Mr. Coe.

A petition of Eraftus Judd and others, inhabitants of the town of Bleinheim, in he county of Schoharry, praying for the erection of a new town, was read and referred to the members attending this House from the counties of Schoharry and Delaware.

Mr. Blake requested and obtained leave of absence for one week.

Then the House resolved itself into a committee of the whole House on the bill ntitled "An act relative to the fittings of the supreme court," and after some time pent thereon, Mr. Speaker resumed the chair, and Mr. Ostrom from the said committee, reported, that the committee had gone through the said bill and agreed to he same without amendment, which he was directed to report to the House, and e read the report in his place and delivered the bill in at the table, where it was gain read and agreed to by the House.

By unanimous consent the said bill was read the third time.

*Resolved*, That the bill do pass.

*Ordered*, That Mr. Dodge and Mr. Doty deliver the bill to the Hon. the Senate, nd inform them that this House have passed the same without amendment.

Mr. Comstock from the committee of the whole House, on the bill entitled "An ct to encourage the destroying of wolves and panthers," reported, that the committee had gone through the bill, made amendments, added clauses, filled up the lanks and agreed to the same, which he was directed to report to the House, and e read the report in his place and delivered the same in at the table where it was gain read and agreed to by the House.

*Ordered* That the bill be engrossed.

A message from the Hon. the Senate, delivered by Mr. Graham and Mr. Haight, ith the bill therein mentioned, was read, that the Senate have passed the bill entitled "An act to explain the law and rectify mistakes respecting the payment and remission of quit rent," to which they request the concurrence of this House. The aid bill was read the first time and ordered a second reading.

The Hon. the Senate returned, by Mr. Graham and Mr. Haight, the bill entitled

" An act relative to the ſupreme court of this ſtate," and the bill entitled " An a providing for the expenſes of ſuits in which the people of this ſtate are intereſted

*Ordered*, That Mr. Doty and Mr. Fort deliver the ſaid bills to the Hon. th Council of Reviſion.

Mr. Prevoſt from the committee of the whole Houſe on the bill entitled " A act to provide more effectually for the ſettlement of accounts between this ſta and individuals, and the recovery of debts due to this ſtate," reported, that th committee had gone through the bill, made amendments, added clauſes and agree to the ſame, which he was directed to report to the Houſe, and he read the repor in his place and delivered the ſame in at the table, where it was again read an agreed to by the Houſe.

*Ordered*, That the amendments be engroſſed.

Then the Houſe reſolved itſelf into a committee of the whole Houſe on the bil entitled " An act for the relief of the miniſter, elders and deacons of the Reforme Proteſtant high and nether Dutch congregations in the towns of Schoharry an Middleburgh in the county of Schoharry," and after ſome time ſpent thereon, Mr. Speaker reſumed the chair, and Mr. P. Ten Broeck from the ſaid committee, re- ported, that the committee had gone through the bill without amendment an agreed to the ſame, which he was directed to report to the Houſe, and he rea the report in his place and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

*Ordered*, That the bill be engroſſed.

Mr. Doty purſuant to notice by him for that purpoſe heretofore given, moved for and obtained leave to bring in a bill entitled " An act to eſtabliſh a turnpike corporation for improving the ſtate road from the houſe of John Weaver in Wate vliet to Cherry-Valley, and to repeal the act therein mentioned," which was read the firſt time and ordered a ſecond reading.

Then the Houſe adjourned until ten o'clock to-morrow morning.

FRIDAY, *ten o'clock, A. M. January 25th*, 1799.

The engroſſed bill entitled " An act to encourage the deſtroying of wolves and panthers," was read the third time.

A motion was made that the ſaid bill ſhould be recommitted to a committee of the whole Houſe, and the queſtion being put thereon it was carried in the affirmative: Thereupon,

*Ordered*, That the ſaid bill be recommitted to a committee of the whole Houſe.

The engroſſed bill entitled " An act for the relief of the Reformed Proteſtant high and nether Dutch congregations of the towns of Schoharry and Middleburgh in the county Schoharry," was read the third time.

*Reſolved*, That the bill do paſs.

*Ordered*, That Mr. Fort and Mr. Furman deliver the bill to the Hon. the Senate and requeſt their concurrence.

The bil lentitled " An act to provide more effectually for the ſettlement of accounts between this ſtate and individuals, and for the recovery of debts due to this ſtate," with the engroſſed amendments was read the third time.

A motion was made that the ſaid bill and amendments ſhould be recommitted to a committee of the whole Houſe, and the queſtion being put thereon, it was carried in the affirmative. Thereupon,

*Ordered*, That the ſaid bill and amendments be recommitted to a committee of the whole Houſe.

The bill entitled " An act to explain the law and rectify miſtakes reſpecting the payment and remiſſion of quit rent," and the bill entitled " An act to eſtabliſh a turnpike corporation for improving the ſtate road from the houſe of John Weaver in Watervliet to Cherry-Valley, and to repeal the act therein mentioned," were ſeverally read the ſecond time and committed to a committee of the whole Houſe.

A petition of John Mackay of Montreal in the province of Canada, relative to a tract of land in the county of Clinton, was read and referred to the Surveyor-General.

Mr. Honeywell from the committee to whom was referred the petition of John B. Coles and others, and the remonſtrance of Philip Rhinelander and others, re-

ported the following ſtate of facts: That it appears from the petition that ſixty-four perſons have ſigned it, only one of whom owns lands through which the road contemplated is to be laid out, and that near ſixty of the petitioners are not owners of any ſalt meadow above Fiſher's Landing, nor does it appear to your committee that any of them, excepting one or two, are intereſted in the navigation of ſaid creek between Fiſher's Landing and the Town Landing in Eaſtcheſter, or from thence up the ſaid creek.

It appears that the remonſtrance is ſigned only by freeholders, and owners of ſalt meadows, or of lands through which the road is intended to run. That the ſaid meadows are above Fiſher's Landing, the place where it is propoſed to erect a mill dam. That thoſe freeholders are oppoſed to the erection of a mill dam at Fiſher's Landing, not only on account of its injuring their meadows, but principally becauſe it would greatly impede the navigation to and from the Town Landing, and almoſt totally deprive them of their rights and privileges in and to the ſaid creek; neither doth it appear that the petitioners are diſpoſed to pay the freeholders of the ſaid meadows and creek any certain valuable conſideration for the privilege of ſtopping the navigation of the creek, or for ponding their meadows; nor doth it appear that they have attempted to obtain any kind of conveyance from the freeholders of ſaid towns, for the purpoſes aforeſaid, upon any equitable terms whatever. The committee further ſtate, that they are authorized to inform the Houſe, that Jaſper Ward, the principal perſon named in the petition, wiſhes to decline having any thing further to do in this buſineſs, on the principles propoſed in the ſaid petition. The committee are therefore of opinion that the prayer of the petitioners ought not to be granted.

Thereupon, *Ordered*, That the conſideration of the ſaid report be poſtponed until to-morrow.

Mr. M'Neil from the committee to whom was referred the petition of Iſaac Foot, reported, that the facts ſtated in the petition are literally true; the committee are therefore of opinion that the petitioner is entitled to relief, and that they have prepared a bill for that purpoſe, and have directed him to move for leave to bring in the ſame.

Leave being given, Mr. M'Neil brought in the ſaid bill entitled "An act for the relief of Iſaac Foot," which was read the firſt time, and on the queſtion being put whether the ſaid bill ſhould be ordered a ſecond reading, the ſame paſſed in the negative.

The Attorney-General to whom was referred the petition of Dirck Swart and others, reported,

That the Preſident, Directors and Company of the Northern Inland Lock Navigation in the ſtate of New-York, in purſuance of the powers veſted in them by law, entered upon certain lands poſſeſſed by the petitioners, and occupied, uſed and cut through the ſame for the purpoſe of carrying into effect the object of their incorporation. That the ſaid corporation and the petitioners being unable to agree as to the value of the property taken, and for the damages ſuſtained by the proprietors of the ſoil, it was mutually agreed to ſubmit the ſame to arbitration, and bonds, in due form of law, were reſpectively executed for that purpoſe. Gerrit Witbeck, Jellis A. Fonda, Nicholas Veeder and Jonathan Hoag, the arbitrators choſen by the parties on the 6th day of September, 1797, made their awards, and by them it appears that they adjudged the ſaid corporation to pay within ten days thereafter to the ſaid petitioners, by reaſon of the premiſes, as follows, to Dirck Swart 3,500 dollars, to Daniel Dickinſon 375 dollars, to Elias Palmer 375 dollars, to George Palmer 450 dollars, to Chriſtiana Schuyler 100 dollars, to Eliſha Andrews 62 dollars and 50 cents, and to Solomon Campbell 375 dollars, in the whole equal to 5,237 dollars 50 cents.

In virtue of an act paſſed the 31ſt day of March, 1795, the treaſurer of this ſtate ſubſcribed, in behalf of the people of this ſtate, two hundred ſhares in the ſtock of the ſaid company, and *by reaſon thereof* the petitioners alledge, the ſtate has aſſumed a reſponſibility, and they pray for legiſlative redreſs in the premiſes.

Upon principles of law, the private property of the ſtockholders of this corpora-

tion cannot be held liable for the debts of the company, and the ſtate, on this occaſion, can only be conſidered in the ſituation of a ſtockholder, to the extent of two hundred ſhares; and its ſeparate funds are not reſponſible for demands againſt the company. If the corporation is ſolvent, complete redreſs may be had by the petitioners, and payment obtained in the ordinary courſe of law. If the reverſe is the caſe, and which probably is the reaſon of the preſent application, however unfortunate the condition of the petitioners may be, they can have no relief, except from the bounty of the legiſlature.

Until the payment of the ſeveral ſums awarded, in the opinion of the Attorney-General, the right to the ſoil or the fee remains in the petitioners; but it is at the ſame time proper to remark, that the injury moſt complained of by the petitioners ariſes from the loſs ſuſtained in the value of their adjacent property, by reaſon of the canal interſecting the ſame.

By the act of incorporation the directors are competent to order, from time to time, further ſums to be paid on each ſhare, to enable them to accompliſh the deſign of the ſaid act; and in caſe of non-payment on any of the ſhares, the ſame are to be forfeited to the company. By the act of the 31ſt of March, 1795, the treaſurer is conſidered as a ſtockholder, and is directed to pay ſuch further ſum on each ſhare, to be ſubſcribed by him as may be ſo required. The directors of the company have not recently made any ſuch requiſition, and if they were now to order one there is good reaſon to conclude, that moſt of the ſhares, held by individuals, would become forfeited, and that the treaſurer, by the terms of the laſt act, would comply with ſuch requiſition. It ought not, therefore, to eſcape obſervation, that while ſuch an arrangement might enable the directors to ſatisfy the preſent, and all other demands againſt the company, yet, in effect, ſuch ſatisfaction would be made by the ſtate: a conſideration of this circumſtance, it is to be preſumed, has governed the recent conduct of the directors in delaying any new requiſitions.

All which is reſpectfully ſubmitted.

JOS. OGDEN HOFFMAN.

*Albany, 24th January, 1799.*

*Ordered*, That the ſaid report and petition be referred to Mr. Clark, Mr. Campbell and Mr. Dodge.

Then the Houſe reſolved itſelf into a committee of the whole Houſe on the bill entitled "An act to provide more effectually for the ſettlement of accounts between this ſtate and individuals, and the recovery of debts due to this ſtate," and after ſome time ſpent thereon Mr. Speaker reſumed the chair, and Mr. Prevoſt from the ſaid committee, reported, that the third enacting clauſe of the bill was read, and is in the words following, viz.

And be it further enacted, That in all caſes where accounts ſhall be rendered to the comptroller within the time limited in ſuch notification, or without any ſuch notification being iſſued, the comptroller ſhall immediately proceed to examine ſuch accounts and vouchers; and if the ſame are proper and ſufficient in his opinion, he ſhall thereupon proceed to liquidate and ſettle the ſame accounts; but if any of the neceſſary vouchers are wanting, or inſufficient in his opinion, he ſhall give notice thereof to the party, and require him to ſupply ſuch defect within a reaſonable time, not leſs than ſixty nor more than ninety days; after the expiration of which time the comptroller ſhall proceed to liquidate and ſettle ſuch accounts upon the vouchers and proofs which ſhall have been delivered to him. And when the comptroller ſhall have ſettled any account, he ſhall deliver or tranſmit a copy of ſuch ſettlement to the party, and if any balance ſhall be thereby certified to be due to the ſtate, and the ſame ſhall not be paid to the treaſurer within ninety days thereafter, the comptroller ſhall direct the aſſiſtant attorney-general of the diſtrict within which the party ſhall reſide, to commence a ſuit for the recovery of ſuch balance; and in all ſuch caſes, a copy of ſuch ſettlement, certified by the comptroller, ſhall be deemed good and ſufficient evidence to ſupport ſuch action. But it ſhall be lawful for the defendant in any ſuch action to plead and give in evidence all ſuch matters as ſhall be legal and proper for his defence or diſcharge; and if any ſuch defendant ſhall, upon the trial in any ſuch action, give any evidence other than ſuch as was produced to the comptroller, then and in every ſuch caſe, the de-

fendant ſhall be ſubject to the coſts and charges of ſuch ſuit, whether the ultimate deciſion ſhall be againſt him or in his favor.

That Mr. Comſtock then made a motion that the committee ſhould agree to expunge from the ſaid clauſe the following words, viz. " and if any ſuch defendant ſhall, upon the trial in any ſuch action, give any evidence other than ſuch as was produced to the comptroller, then and in every ſuch caſe, the defendant ſhall be ſubject to the coſts and charges of ſuch ſuit, whether the ultimate deciſion ſhall be againſt him or in his favor." That the queſtion being put on the motion of Mr. Comſtock, it paſſed in the negative. The yeas and nays being called for by Mr. Comſtock, ſeconded by Mr. Johnſon, were as follows, viz.

*For the Negative.*

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|---|---|---|---|
| Mr. Adgate | Mr. E. Gilbert | Mr. Micheau | Mr. John M. Smith |
| Mr. Barker | Mr. Gray | Mr. E. Mott | Mr. Joſhua Smith |
| Mr. Bill | Mr. Heermance | Mr. W. Mott | Mr. Philip Smith |
| Mr. Boyd | Mr. Henry | Mr. Oſtrom | Mr. Snell |
| Mr. Butler | Mr. Hoag | Mr. Pauling | Mr. Speaker |
| Mr. Campbell | Mr. Hopkins | Mr. Pearce | Mr. Storm |
| Mr. Clift | Mr. Hunt | Mr. Philips | Mr. Swart |
| Mr. Cummings | Mr. Landon | Mr. Reynolds | Mr. Teed |
| Mr. Deitz | Mr. C. Lanſingh | Mr. Savage | Mr. P. Ten Broeck |
| Mr. De Witt | Mr. Lefevre | Mr. Schermerhorn | Mr. S. Ten Broeck |
| Mr. French | Mr. Lott | Mr. Schuyler | Mr. Van Renſelaer |
| Mr. Furman | Mr. C. M'Kinſtry | Mr. John Smith | Mr. Voorhis 50 |
| Mr. B. Gilbert | Mr. M'Neil | | |

*For the Affirmative.*

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|---|---|---|---|
| Mr. Abeel | Mr. Coe | Mr. Lee | Mr. Skidmore |
| Mr. Adams | Mr. Comſtock | Mr. M'Intyre | Mr. A. Smith |
| Mr. Adriance | Mr. Corl | Mr. Moore | Mr. H. Smith |
| Mr. Arcularius | Mr. Crocker | Mr. Nexen | Mr. Swartwout |
| Mr. Baldwin | Mr. Dodge | Mr. Paine | Mr. Tabor |
| Mr. Bruyn | Mr. Gates | Mr. Peck | Mr. Van Benthuyſen |
| Mr. Burling | Mr. German | Mr. Robins | Mr. Veeder |
| Mr. Burt | Mr. Honeywell | Mr. Root | Mr. Waren |
| Mr. Carpenter | Mr. Johnſon | Mr. Schuneman | Mr. Weſtcott 37 |
| Mr. Clark | | | |

Mr. Prevoſt alſo reported, that the committee had gone through the bill, made amendments, and agreed to the ſame, which he was directed to report to the Houſe, and he read the report in his place, and delivered the bill and amendments in at the table where the ſame were again read and agreed to by the Houſe.

*Ordered*, That the amendments be engroſſed.

A meſſage from the Hon. the Senate, delivered by Mr. Haight and Mr. Hatfield, with the bill therein mentioned, was read, that the Senate have paſſed the bill entitled " An act for the relief of James Barber, and to amend the act for the relief of Ebenezer Mott," with the amendments therewith delivered.

The bill with the amendments were read, and the amendments having been read the ſecond time, were ſeverally not concurred in: Thereupon,

*Reſolved*, That this Houſe do not concur in the ſaid amendments.

*Ordered*, That Mr. French and Mr. Furman deliver the bill, amendments, and a copy of the preceding reſolution to the Hon. the Senate.

A copy of a reſolution of the Hon. the Senate, alſo delivered by Mr. Haight and Mr. Hatfield, was read, and is in the words following, viz.

*Reſolved*, That the Senate will meet the Hon. the Aſſembly in the Aſſembly chamber on Monday next, at one o'clock, P. M. in order to hold the conference propoſed on the amendment not concurred in by the Hon. the Aſſembly to the bill entitled " An act to amend an act entitled " An act allowing an annual ſalary to the ſecretary of this ſtate," and that Mr. Gold, Mr. Van Vechten and Mr. Clinton be a committee to manage the ſaid conference on the part of the Senate.

The bill entitled " An act to provide more effectually for the ſettlement of accounts between this ſtate and individuals, and the recovery of debts due to this ſtate," with the engroſſed amendment was, by unanimous conſent, read the third time.

*Reſolved*, That the bill do paſs.

*Ordered*, That Mr. Furman and Mr. Gates deliver the bill to the Hon. the Senate and inform them that this Houſe have paſſed the ſame, with the amendment therewith delivered.

Then the Houſe reſolved itſelf into a committee of the whole Houſe on the bill entitled "An act relative to the clerk's office in the ſeveral counties of this ſtate," and after ſome time ſpent thereon Mr. Speaker reſumed the chair, and Mr. Van Renſſelaer from the ſaid committee reported progreſs: Thereupon,

*Ordered*, That the committee of the whole Houſe be diſcharged from the further conſideration of the ſaid bill, and that the ſame be referred to a ſelect committee conſiſting of Mr. Hopkins, Mr. Carpenter and Mr. Van Benthuyſen.

Then the Houſe reſolved itſelf into a committee of the whole Houſe on the bill entitled "An act for the relief of the proprietors of wood land lying in Germantown, in the county of Columbia," and after ſome time ſpent thereon, Mr. Speaker reſumed the chair, and Mr. Swartwout from the ſaid committee, reported, that the committee had gone through the bill, made amendments and agreed to the ſame, which he was directed to report to the Houſe, and he read the report in his place and delivered the ſame in at the table where it was again read and agreed by the Houſe.

*Ordered*, That the bill be engroſſed.

Then the Houſe adjourned until ten o'clock to-morrow morning.

SATURDAY, *ten o'clock, A. M. January 26th*, 1799.

The engroſſed bill entitled "An act for the relief of the proprietors of wood land lying in Germantown in the county of Columbia," was read the third time.

*Reſolved*, That the bill do paſs.

*Ordered*, That Mr. Gates and Mr. German deliver the bill to the Hon. the Senate and requeſt their concurrence.

A petition of Simon J. Vrooman and others, inhabitants of that part of the town of Warren in the county of Herkimer, called Young's Patent, praying to be annexed to the county of Otſego, was read and referred to Mr. Butler, Mr. Shurtleff and Mr. J. M'Kinſtry.

A petition of Henry Ten Eyck, praying a grant of bounty lands for military ſervices, was read and referred to Mr. Fairlie, Mr. Clift, Mr. Pauling, Mr. Shurtleff and Mr. Hopkins.

A petition of John Brown, John Guion and Bartholomew Hadden of Rye in the county of Weſtcheſter, truſtees for all the creditors of Thomas Merrit, an abſent debtor, praying that the right, title, intereſt, equity of redemption and eſtate of the people of this ſtate in and to fifty acres of land, part of the forfeited eſtate of the ſaid Thomas Merrit, may be veſted in the petitioners in truſt for the benefit of all the creditors of the ſaid Thomas Merrit, was read and referred to the Attorney-General.

A petition of John Meyer and others, inhabitants of the county of Oneida, praying that a ſufficient ſum of money may be granted for the purpoſe of improving the road from Fort Stanwix to Fort Oſwego, and the building of a bridge acroſs the Fiſh Creek, was read and referred to Mr. Oſtrom, Mr. Pearce and Mr. Hoag.

A meſſage from the Hon. the Senate, delivered by Mr. Hatfield and Mr. Hitchcock, with the bill therein mentioned, was read, that the Senate do adhere to their amendments to the bill entitled "An act for the relief of James Barber, and to amend the act for the relief of Ebenezer Mott," which were not concurred in by this Houſe. The bill and amendments having been again read and conſidered,

Thereupon, *Reſolved*, That this Houſe do recede from their non-concurrence to the ſaid amendments.

*Ordered*, That the bill be amended accordingly.

*Ordered*, That Mr. German and Mr. B. Gilbert deliver the bill to the Hon. the Senate, and inform them that the bill is amended agreeably to the amendments of the Hon. the Senate.

Mr. Hopkins, purſuant to notice by him for that purpoſe heretofore given, moved for and obtained leave to bring in a bill entitled "An act for granting an additional

l term of the court of common pleas for the county of Washington, and extending the time limited for the continuance of the court of general sessions of the peace in November term in said county," which was read the first time and ordered a se- cond reading.

A message from the Hon. the Council of Revision, delivered by the Hon. Mr. Justice Radcliff, was read, that it does not appear improper to the Council that the bill entitled "An act providing for the expenses of suits in which the people of this state are interested," should become a law of this state.

The House proceeded to the further consideration of the report of the committee on the petition of Jasper Ward and others, and the remonstrance of Philip Rhinelander and others. The said report was again read and considered: Thereupon,

*Ordered*, That the further consideration thereof be postponed until Saturday next.

Mr. Hall requested and obtained leave of absence for four days.

Mr. Burling from the committee to whom was referred the message of his Excellency the Governor of the 7th inst. and the letter accompanying the same, reported, that from the state of facts particularly mentioned in the said letter, the committee are of opinion, that the several persons therein named are justly entitled to relief from the legislature; that the committee have prepared a bill for such purpose, and have directed him to move for leave to bring in the same.

Mr. Speaker put the question, whether the House did agree with the committee in their said report, and it passed in the negative. The yeas and nays being called for by Mr. Burling, seconded by Mr. Boyd, were as follows, viz.

*For the Negative.*

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|---|---|---|---|
| Mr. Abeel | Mr. Cummings | Mr. J. M'Kinstry | Mr. Joshua Smith |
| Mr. Adams | Mr. Dewey | Mr. M'Neil | Mr. Snell |
| Mr. Adgate | Mr. De Witt | Mr. Ostrom | Mr. Swartwout |
| Mr. Admance | Mr. French | Mr. Paine | Mr. Tabor |
| Mr. Baldwin | Mr. Gates | Mr. Pearce | Mr. Teed |
| Mr. Barker | Mr. German | Mr. Peck | Mr. S. Ten Broeck |
| Mr. Bruyn | Mr. Hoag | Mr. Philips | Mr. Thomas |
| Mr. Burr | Mr. Hogeboom | Mr. Reynolds | Mr. Van Benthuysen |
| Mr. Burt | Mr. Hopkins | Mr. Root | Mr. Van Rensselaer |
| Mr. Clark | Mr. Kane | Mr. Savage | Mr. Veeder |
| Mr. Clift | Mr. King | Mr. Schermerhorn | Mr. Voorhis |
| Mr. Coe | Mr. Landon | Mr. Schuyler | Mr. Waren |
| Mr. Comstock | Mr. C. Lansingh | Mr. H. Smith | Mr. Westcott |
| Mr. Crocker | Mr. C. M'Kinstry | Mr. John Smith | Mr. Williamson 56 |

*For the Affirmative.*

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|---|---|---|---|
| Mr. Arcularius | Mr. Heermance | Mr. Lee | Mr. Schuneman |
| Mr. Boyd | Mr. Honeywell | Mr. Lott | Mr. Skidmore |
| Mr. Burling | Mr. Hunt | Mr. Moore | Mr. A. Smith |
| Mr. Carpenter | Mr. Johnson | Mr. Robins | Mr. Storm 17 |
| Mr. Furman | | | |

Thereupon, *Resolved*, That this House do not agree with the committee in their said report.

*Resolved*, That this House will, on Tuesday next, resolve itself into a committee of the whole House on the bill entitled "An act to abolish imprisonment for debt."

Mr. Van Benthuysen from the committee of the whole House on the bill entitled "An act for the inspection of fish," reported, that the committee had gone through the bill, made amendments, and agreed to the same, which he was directed to report to the House, and he read the report in his place and delivered the same in at the table, where it was again read and agreed to by the House..

*Ordered*, That the bill be engrossed.

Mr. M'Neil made a motion that this House do reconsider the question, whether the bill entitled "An act for the relief of Isaac Foote," should be ordered a second reading, which was yesterday determined in the negative. Debates were had thereon, and the question being put, whether the House did agree to the motion of Mr. M'Neil, it passed in the negative.

Mr. Thomas made a motion that the House should agree to a resolution with a recital in the words following, viz.

Whereas it appears that the appointment of the Rev. Mr. O'Brien one of the chaplains to this Houſe, is particularly diſagreeable to a number of the members thereof, and it alſo appearing that no one has advocated his appointment from religious motives: Therefore,

*Reſolved*, That this Houſe will diſpenſe with the further attendance of the Rev. Mr. O'Brien as chaplain to this Houſe, and that the clerk be directed to ſerve him with a copy of this reſolution.

A motion was then made that the Houſe do adjourn, and the queſtion being put thereon, it was carried in the affirmative. Thereupon the houſe adjourned until ten o'clock on Monday morning next.

MONDAY, *ten o'clock, A. M. January 28th*, 1799.

The bill entitled "An act for granting an additional term of the court of common pleas for the county of Waſhington, and extending the time limited for the continuance of the court of general ſeſſions of the peace in November term in ſaid county," was read the ſecond time and committed to a committee of the whole Houſe.

A petition of Moſes Hatfield of the county of Orange, and a petition of John Wood of the ſame county, relative to certain certificates of ſtate debt, commonly called Bancker's certificates, were ſeverally read and referred to the Comptroller to report thereon.

A petition of Archibald Campbell of Pawlingſtown in the county of Dutcheſs, relative to a certain ſealed note for 100l. againſt Beverly Robinſon, was read and referred to Mr. Pearce, Mr. Deitz and Mr. Teed.

Three ſeveral petitions from inhabitants of the county of Onondaga, praying that if the ſaid county ſhould be divided into two counties, the court-houſe may be eſtabliſhed at the Cayuga ferry, was read and committed to the committee of the whole Houſe when on the bill for erecting a new county from part of the county of Onondaga.

A memorial of Abraham Van Taſſell, deputy ſheriff and gaoler in the city of Albany, was read and referred to the committee appointed to take into conſideration that part of the meſſage of his Excellency the Governor of the 12th inſt. relative to the ſtate priſon and the criminal code.

A petition of Alexander M'Niſh, praying a grant of bounty lands for furniſhing a recruit in the courſe of the late war, was read and referred to Mr. Savage, Mr. Lee and Mr. Hogeboom.

Mr. Dewey from the committee conſiſting of the members attending this Houſe from the county of Otſego, to whom were referred three ſeveral petitions from inhabitants of the town of Richfield in ſaid county, reported, that the inhabitants of the ſaid town have complied with the requiſitions of the law for the diviſion of towns, and that in the opinion of the committee the prayer of the petitioners ought to be granted; that the committee have prepared a bill for ſuch purpoſe, and have directed him to move for leave to bring in the ſame. Leave being given, Mr. Dewey brought in the ſaid bill entitled "An act to divide the town of Richfield in the county of Otſego, into three towns," which was read the firſt time and ordered a ſecond reading.

Mr. Heermance from the committee of the whole Houſe on the bill entitled "An act to encourage and improve the manufacture, and to provide for and regulate the inſpection of ſoal leather, likewiſe to guard againſt the gaſhing and cutting of hides and ſkins," reported progreſs: Thereupon,

*Ordered*, That the committee of the whole Houſe be diſcharged from the further conſideration of the ſaid bill, and that the ſame be committed to a ſelect committee conſiſting of Mr. Arcularius, Mr. Root and Mr. Heermance.

A meſſage from the Hon. the Senate, delivered by Mr. Phelps and Mr. Jones, with the bill therein mentioned, was read, that the Senate do not concur with this Houſe in two of the amendments to the bill entitled "An act to provide more effectually for the ſettlement of accounts between this ſtate and individuals, and the recovery of debts due to this ſtate," which amendments are for that purpoſe particularly deſignated on the margin, and do concur in the other amendments to the ſaid bill.

The bill and the amendments which were not concurred in were read and con-
ered: Thereupon,
*Reſolved*, That this Houſe do recede from their amendments to the ſaid bill, not
ncurred in by the Hon. the Senate.
*Ordered*, That Mr. German and Mr. B. Gilbert deliver the bill, amendments and
opy of the preceding reſolution to the Hon. the Senate.
A meſſage from the Hon. the Council of Reviſion, tranſmitted to this Houſe by
Hon. the Senate, was read, that it does not appear improper to the Council that
bill entitled "An act relative to the ſittings of the ſupreme court," ſhould be-
me a law of this ſtate.
Then the Houſe reſolved itſelf into a committee of the whole Houſe on the bill
itled "An act for the relief of Jabez Johnſon," and after ſome time ſpent there-
, Mr. Speaker reſumed the chair, and Mr. Hopkins from the ſaid committee, re-
rted, that the committee had gone through the bill and agreed to the ſame without
endment, which he was directed to report to the Houſe, and he read the report
his place and delivered the ſame in at the table where it was again read and agreed
by the Houſe.
*Ordered* That the bill be engroſſed.
Mr. Speaker then left the chair, and with the Houſe attended the Hon. the Senate
the Aſſembly chamber, purſuant to the reſolutions of both Houſes for holding a
nference on the amendment of the Hon. the Senate to the bill entitled "An act
amend the act entitled "An act allowing an annual ſalary to the ſecretary of this
te," which was adhered to by the Hon. the Senate, and the ſaid conference being
ded, Mr. Speaker reſumed the chair and reported to the Houſe, that a conference
d been held in the preſence of both Houſes on the amendment to the ſaid bill,
ich was adhered to by the Senate as the ſame is inſerted in the journal of this
uſe of the 23d inſtant: Thereupon,
*Ordered*, That the conſideration of the ſaid bill and amendment be poſtponed
il to-morrow.
Then the Houſe adjourned until ten o'clock to-morrow morning.

TUESDAY, *ten o'clock, A. M. January 29th*, 1799.

The engroſſed bill entitled "An act for the inſpection of fiſh," was read the
rd time.
*Reſolved*, That the bill do paſs.
The engroſſed bill entitled "An act for the relief of Jabez Johnſon," was read
third time.
*Reſolved*, That the bill do paſs.
*Ordered*, That Mr. B. Gilbert and Mr. E. Gilbert deliver the ſaid bills to the Hon.
Senate and requeſt their concurrence.
The bill entitled "An act to divide the town of Richfield, in the county of Ot-
o, into three towns," was read the ſecond time and committed to a committee of
whole Houſe.
A petition of Amos Hamlin, late a ſoldier in the regiment of New-York ſtate
ops commanded by Col. Marinus Willett, ſtating that he had ſold his bounty
ds while under age; praying that the ſaid lands may be reſtored to him upon
paying the amount received by him for the ſame, was read: Thereupon,
*Reſolved*, That the prayer of the ſaid petition cannot be granted.
A petition of Sarah M'Ginnis and Rachel Walmſley, daughters of Robert M'Gin-
, deceaſed, praying that that part of the confiſcated eſtate of the ſaid Robert
Ginnis which has not been ſold by the commiſſioners of forfeitures may be veſted
the petitioners, was read and referred to the Surveyor-General to report thereon.
Then the Houſe proceeded again to take into conſideration the amendment of the
n. the Senate to the bill entitled "An act to amend the act entitled "An act al-
ing an annual ſalary to the ſecretary of this ſtate."
The bill and amendment were again read and conſidered: Thereupon,
*Reſolved*, That this Houſe do adhere to the ſaid bill, and to the reſolution of non-
currence in the amendment of the Hon. the Senate to the ſame.
*Ordered*, That Mr. B. Gilbert and Mr. E. Gilbert deliver the bill, amendment,
a copy of the preceding reſolution to the Hon. the Senate.

The Houſe, purſuant to the order of the day, reſolved itſelf into a committee of the whole Houſe on the bill entitled "An act for regulating and governing the militia of the ſtate of New-York," and after ſome time ſpent thereon, Mr. Speaker reſumed the chair, and Mr. P. Smith from the ſaid committee reported progreſs.

Thereupon, *Ordered*, That the committee of the whole Houſe be diſcharged from the further conſideration of the ſaid bill, and that the ſame be referred to a ſelect committee conſiſting of Mr. Kane, Mr. Swartwout, Mr. Abeel, Mr. Doty, Mr. Williamſon, Mr. Burr and Mr. Thomas.

The Comptroller, to whom was referred the petition of Michael Kortright, reported, that the petitioner ſtates in his petition that at the concluſion of the late war he was in the legal poſſeſſion, as a tenant under Frederick Philips, of a farm of about one hundred acres, part of Philips's manor, in the county of Weſtcheſter, which was confiſcated; and that the petitioner not being in a capacity to purchaſe the right and title of the ſaid Frederick Philips to the ſaid farm, it was ſold by the commiſſioners of forfeitures to Abijah Hammond, who afterwards ſold it to Gilbert Underhill, who diſpoſeſſed the petitioner by proceſs of law; that the compenſation to the petitioner for his improvements was determined by the award of arbitrators, which was ſo ſmall that he did not think proper to accept it, nor to execute a conveyance or quit claim of his improvements; that the ſum awarded him was only forty pounds, and that the coſt of his improvements was upwards of four hundred pounds; and therefore the petitioner applies to the legiſlature for redreſs.

The petition is not accompanied with any document, except a certificate ſigned by ſeveral perſons, ſetting forth "that they are convinced and actually believe that the improvements, as ſpecified in the ſaid petition, was worth and coſt the ſum of four hundred pounds, and that, conſequently, the petitioner is an object deſerving the attention and redreſs of the legiſlature."

The petitioner has not ſtated or produced any thing that gives him any claim againſt the ſtate. His complaint is founded on a ſuppoſition that the compenſation awarded by the arbitrators was inadequate to the value of his improvements. This was a matter in which the ſtate had no intereſt. The commiſſioners of forfeitures ſold only the right and title of Frederick Phillips, as appears by the petition.

All which is reſpectfully ſubmitted.

SAMUEL JONES, Comptroller.

*Albany, 28th January*, 1799.

Thereupon, *Ordered*, That the petitioner have leave to withdraw his petition.

The Hon. the Senate returned by Mr. Jones and Mr. Mathews, the bill entitled "An act to amend the act for the relief of Ebenezer."

*Ordered*, That Mr. E. Gilbert and Mr. Gray deliver the bill to the Hon. the Council of Reviſion.

A copy of a reſolution of the Hon. the Senate, delivered by the Mr. Jones and Mr. Mathews, was read, and is in the words following, viz.

*Reſolved*, That the Senate do adhere to their amendment to the bill entitled "An act to amend an act entitled "An act allowing an annual ſalary to the ſecretary of this ſtate."

The Houſe purſuant to the order of the day reſolved itſelf into a committee of the whole Houſe on the bill entitled "An act to aboliſh impriſonment for debt," and after ſome time ſpent thereon, Mr. Speaker reſumed the chair, and Mr. Prevoſt from the ſaid committee, reported, that the bill having been read, the enacting clauſe was again read in the words following, viz.

Be it enacted by the people of the ſtate of New-York repreſented in Senate and Aſſembly, That no perſon being an inhabitant and citizen of this ſtate, ſhall be held to bail, or impriſoned within the ſame, on any civil action for any debt, demand or contract, expreſs or implied, whereof the cauſe of action or contract ſhall ariſe or be made after the next, any law, uſage or cuſtom to the contrary notwithſtanding. Provided always, that nothing in this act ſhall be conſtrued to extend to actions of ſlander, or wilful or malicious treſpaſs.

That debates were had thereon, and the queſtion having been put whether the committee did agree to the ſame, it was carried in the affirmative. That the yeas and nays were called for by Mr. Reynolds, ſeconded by Mr. Boyd, and were as follows, viz.

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Mr. Abeel | Mr. Comſtock | Mr. M'Neil | Mr. Skidmore |
| Mr. Adams | Mr. Corl | Mr. Moore | Mr. A. Smith |
| Mr. Adgate | Mr. Cummings | Mr. E. Mott | Mr. Joſhua Smith |
| Mr. Arcularius | Mr. Dodge | Mr. Oſtrom | Mr. Snell |
| Mr. Baldwin | Mr. Furman | Mr. Paine | Mr. Storm |
| Mr. Boyd | Mr. E. Gilbert | Mr. Peck | Mr. Swartwout |
| Mr. Burling | Mr. Hogeboom | Mr. Reynolds | Mr. S. Ten Broeck |
| Mr. Burr | Mr. Hopkins | Mr. Robins | Mr. Thomas |
| Mr. Burt | Mr. Kane | Mr. Savage | Mr. Van Benthuyſen |
| Mr. Campbell | Mr. Lee | Mr. Schermerhorn | Mr. Veeder |
| Mr. Carpenter | Mr. M'Intyre | Mr. Schuneman | Mr. Waren |
| Mr. Clark | Mr. C. M'Kinſtry | Mr. Shurtleff | Mr. Williamſon 50 |
| Mr. Coe | Mr. J. M'Kinſtry | | |

*For the Negative.*

| | | | |
|---|---|---|---|
| Mr. Adriance | Mr. B. Gilbert | Mr. Lefevre | Mr. John Smith |
| Mr. Bill | Mr. Gray | Mr. Lott | Mr. John M. Smith |
| Mr. Butler | Mr. Hoag | Mr. W. Mott | Mr. Philip Smith |
| Mr. Clift | Mr. Honeywell | Mr. Nexen | Mr. Speaker |
| Mr. Crocker | Mr. Hunt | Mr. Pauling | Mr. Swart |
| Mr. Deitz | Mr. Johnſon | Mr. Pearce | Mr. Tabor |
| Mr. Dewey | Mr. King | Mr. Philips | Mr. Teed |
| Mr. De Witt | Mr. Landon | Mr. Root | Mr. Van Renſſelaer |
| Mr. Fort | Mr. C. Lanſingh | Mr. Schuyler | Mr. Voorhis |
| Mr. Gates | Mr. J. Lanſingh | Mr. H. Smith | Mr. Weſtcott 41 |
| Mr. German | | | |

That Mr. Burr made a motion that the blank in the ſaid clauſe ſhould be filled up with the words "4th day of July." That Mr. Abel Smith, as an amendment, made a motion that the blank in the ſaid clauſe ſhould be filled up with the words "firſt day of January." That Mr. Storm, as a further amendment, made a motion that the words "firſt day of September," ſhould be inſerted in the ſaid blank. That Mr. John M. Smith as a further amendment, made a motion that the words "4th day of July, 1899," ſhould be inſerted in the ſaid blank. That the queſtion was put on the motion of Mr. John M. Smith, and it paſſed in the negative.

That the yeas and nays were called for by Mr. John M. Smith, ſeconded by Mr. Tabor, and were as follows, viz.

*For the Negative.*

| | | | |
|---|---|---|---|
| Mr. Abeel | Mr. Crocker | Mr. J. Lanſingh | Mr. Skidmore |
| Mr. Adams | Mr. Cummings | Mr. Lee | Mr. A. Smith |
| Mr. Adgate | Mr. Dewey | Mr. Lefevre | Mr. H. Smith |
| Mr. Adriance | Mr. De Witt | Mr. M'Intyre | Mr. John Smith |
| Mr. Arcularius | Mr. Dodge | Mr. C. M'Kinſtry | Mr. Joſhua Smith |
| Mr. Baldwin | Mr. Fort | Mr. J. M'Kinſtry | Mr. Snell |
| Mr. Barker | Mr. Furman | Mr. M'Neil | Mr. Speaker |
| Mr. Bill | Mr. Gates | Mr. Moore | Mr. Storm |
| Mr. Boyd | Mr. German | Mr. E. Mott | Mr. Swartwout |
| Mr. Bruyn | Mr. E. Gilbert | Mr. Nexen | Mr. Teed |
| Mr. Burling | Mr. Gray | Mr. Oſtrom | Mr. P. Ten Broeck |
| Mr. Burr | Mr. Heermance | Mr. Paine | Mr. S. Ten Broeck |
| Mr. Burt | Mr. Hogeboom | Mr. Pauling | Mr. Thomas |
| Mr. Butler | Mr. Honeywell | Mr. Peck | Mr. Van Benthuyſen |
| Mr. Campbell | Mr. Hopkins | Mr. Philips | Mr. Van Renſſelaer |
| Mr. Carpenter | Mr. Hunt | Mr. Reynolds | Mr. Veeder |
| Mr. Clark | Mr. Johnſon | Mr. Robins | Mr. Waren |
| Mr. Coe | Mr. Kane | Mr. Savage | Mr. Weſtcott |
| Mr. Comſtock | Mr. King | Mr. Schermerhorn | Mr. Williamſon 79 |
| Mr. Corl | Mr. C. Lanſingh | Mr. Schuneman | |

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Mr. Clift | Mr. Landon | Mr. Root | Mr. Swart |
| Mr. Deitz | Mr. Lott | Mr. John M. Smith | Mr. Tabor |
| Mr. B. Gilbert | Mr. W. Mott | Mr. Philip Smith | Mr. Voorhis 14 |
| Mr. Hoag | Mr. Pearce | | |

That the queſtion having been put, whether the committee did agree to the motion of Mr. A. Smith, it alſo paſſed in the negative.

That the queſtion having been put on the motion of Mr. Storm, it alſo paſſed in the negative.

That the queſtion having been put on the motion of Mr. Burr, it was carried in the affirmative.

That the words "fourth day of July" were accordingly written in the ſaid blank.

That the committee had gone through the bill, amended the proviſo, altered the title ſo as to read "An act to aboliſh impriſonment for debts contracted after the 4th day of July, 1799," and agreed to ſame; which he was directed to report to the Houſe, and he read the report in his place and delivered the bill and amendment in at the table, where it was again read and agreed to by the Houſe.

*Ordered*, That the engroſſing of the ſaid bill be delayed until to-morrow.

Then the Houſe adjourned until ten o'clock to-morrow morning.

WEDNESDAY, *ten o'clock, A. M. January 30th*, 1799.

*Ordered*, That the bill entitled "An act to aboliſh impriſonment for debts contracted after the 4th day of July, 1799," be recommitted to a committee of the whole Houſe.

Four ſeveral petitions from inhabitants of the counties of Albany and Saratoga, relative to erecting a bridge acroſs the Mohawk river at the Lower Ferry, in the city of Schenectady, were read and referred to Mr. Doty, Mr. Baldwin and Mr. Pauling.

Mr. Bill from the committee to whom was referred the petition of Thomas Wooley and others, reported, that by an act paſſed the 26th of March, 1796, the ferry at Cow Neck, about three miles eaſt of Wooley's, was regulated, where a good ferry has been kept ever ſince. That from the beſt information it appears that the eaſtern inhabitants can be much better accommodated at Sands' ferry than at Wooley's, and that the greateſt part of the travelling is from that quarter. That there is a good ferry at Whiteſtone, which is convenient for all the weſtern inhabitants.

That the petitioner, Thomas Wooley, has, ever ſince the American revolution, neglected to improve his charter privileges, and ſhould he now be encouraged to renew them, there is no proſpect of boats being kept, except on one ſide of the river, which would be very inconvenient for paſſengers. And that thoſe ferries which have been faithfully kept would be injured by extending the privileges of the ſaid Thomas Wooley. The committee are therefore of opinion, that the prayer of the petitioner ought not to be granted.

*Reſolved*, That this Houſe do agree with the committee in their ſaid report.

The Surveyor-General, to whom was referred the petition of Jeſſe Cromwell, reported, that John Thurman has lands patented to him on the eaſt ſide of, and adjoining to the river Hudſon, near its confluence with the Scaroon branch, and it is poſſible that the lands petitioned for are covered by ſuch patents, which, if it be the caſe, will probably be determined by the ſuit of ejectment mentioned in the petition. Whether any of the land petitioned for is ſtate property cannot be known from the deſcription given of it by the petitioner.

All which is reſpectfully ſubmitted.

SIMEON DE WITT, Surveyor-General.

*25th January*, 1799.

The ſaid report having been read, and the ſaid petition having been alſo read,

Thereupon, *Ordered*, That the petitioner have leave to withdraw his petition.

Then the Houſe purſuant to the order of the day, reſolved itſelf into a committee of the whole Houſe on the bill entitled "An act for the appointment of a treaſurer," and after ſome time ſpent thereon, Mr. Speaker reſumed the chair, and Mr. Swartwout from the ſaid committee, reported, that after the ſaid bill had been read in the committee, Mr. Comſtock made a motion that the committee ſhould agree to ſubſtitute a bill in the room of the one then before the committee, entitled "An act to continue the treaſurer of this ſtate in office;" that the queſtion having put on the motion of Mr. Comſtock, it was carried in the affirmative. That the committee had gone through the ſaid bill, filled up the blanks, and agreed to the ſame;

which he was directed to report to the Houſe, and he read the report in his place, and delivered the bill in at the table, where it was again read and agreed to by the Houſe.

*Ordered*, That the bill be engroſſed.

A meſſage from the Hon. the Senate, delivered by Mr. Mathews and Mr. L'Hommedieu, with the bill therein mentioned, was read, that the Senate have amended the bill entitled "An act to provide more effectually for the ſettlement of accounts between this ſtate and individuals, and the recovery of debts due to this ſtate," agreeably to the amendments of this Houſe, which were concurred in by the Hon. the Senate.

The amended bill having been examined,

*Ordered*, That Mr. E. Gilbert and Mr. Gray return the bill to the Hon. the Senate.

A meſſage from his Excellency the Governor, tranſmitted to this Houſe by the Hon. the Senate, was read, and is in the words following, viz.

GENTLEMEN,

Certain reſolutions of the Legiſlatures of Virginia and Kentucky having been officially tranſmitted to me for the purpoſe of being laid before you, they accompany this meſſage.

JOHN JAY.

*Albany*, 12*th January*, 1799.

The reſolutions which accompanied the meſſage of his Excellency the Governor are in the words following, viz.

VIRGINIA, to wit.

*In the Houſe of Delegates, Friday, December* 21*ſt*, 1798.

RESOLVED, That the General Aſſembly of Virginia doth unequivocally expreſs a firm reſolution to maintain and defend the conſtitution of the United States, and the conſtitution of this ſtate, againſt every aggreſſion, either foreign or domeſtic, and that they will ſupport the government of the United States in all meaſures warranted by the former.

That this Aſſembly moſt ſolemnly declares a warm attachment to the union of the ſtates, to maintain which it pledges all its powers; and that for this end it is their duty to watch over and oppoſe every infraction of thoſe principles, which conſtitute the only baſis of that union, becauſe a faithful obſervance of them can alone ſecure its exiſtence and the public happineſs.

That this Aſſembly doth explicitly and peremptorily declare, that it views the powers of the Federal Government as reſulting from the compact, to which the ſtates are parties; as limited by the plain ſenſe and intention of the inſtrument conſtituting that compact; as no farther valid than they are authoriſed by the grants enumerated in that compact, and that in caſe of a deliberate, palpable and dangerous exerciſe of other powers not granted by the ſaid compact, the ſtates who are parties thereto have the right, and are in duty bound, to interpoſe for arreſting the progreſs of the evil, and for maintaining within their reſpective limits, the authorities, rights and liberties appertaining to them.

That the General Aſſembly doth alſo expreſs its deep regret that a ſpirit has in ſundry inſtances been manifeſted by the Federal Government to enlarge its powers by forced conſtructions of the conſtitutional charter which defines them; and that indications have appeared of a deſign to expound certain general phraſes (which having been copied from the very limited grant of powers in the former articles of confederation were the leſs liable to be miſconſtrued) ſo as to deſtroy the meaning and effect of the particular enumeration, which neceſſarily explains and limits the general phraſes; and ſo as to conſolidate the ſtates by degrees into one ſovereignty, the obvious tandency and inevitable conſequence of which would be, to transform the preſent republican ſyſtem of the United States into an abſolute, or at beſt, a mixed monarchy.

That the General Aſſembly doth particularly proteſt againſt the palpable and alarming infractions of the conſtitution in the two late caſes of the "Alien and Sedition acts," paſſed at the laſt ſeſſion of Congreſs; the firſt of which exerciſes a power no where delegated to the Federal Government; and which, by uniting legiſlative and judicial powers to thoſe of executive, ſubverts the general principles

of free government, as well as the particular organization and positive provisions of the federal conſtitution: and the other of which acts exerciſes in like manner a power not delegated by the conſtitution, but on the contrary, expreſsly and poſitively forbidden by one of the amendments thereto; a power which, more than any other, ought to produce univerſal alarm, becauſe it is levelled againſt that right of freely examining public characters and meaſures, and of free communication among the people thereon, which has ever been juſtly deemed the only effectual guardian of every other right.

That this ſtate having, by its convention which ratified the federal conſtitution, expreſsly declared, "that among other eſſential rights, the liberty of conſcience and of the preſs cannot be cancelled, abridged, reſtrained or modified by any authority of the United States," and from its extreme anxiety to guard theſe rights from every poſſible attack of ſophiſtry or ambition, having, with other ſtates, recommended an amendment for that purpoſe, which amendment was in due time annexed to the conſtitution, it would mark a reproachful inconſiſtency and criminal degeneracy if an indifference were now ſhewn to the moſt palpable violation of one of the rights thus declared and ſecured, and to the eſtabliſhment of a precedent which may be fatal to the other.

That the good people of this Commonwealth having ever felt and continuing to feel the moſt ſincere affection to their brethren of the other ſtates, the trueſt anxiety for eſtabliſhing and perpetuating the union of all, and the moſt ſcrupulous fidelity to that conſtitution which is the pledge of mutual friendſhip, and the inſtrument of mutual happineſs: The General Aſſembly doth ſolemnly appeal to the like diſpoſitions of the other ſtates, in confidence that they will concur with this Commonwealth in declaring, as it does hereby declare, that the acts aforeſaid are unconſtitutional, and that the neceſſary and proper meaſures will be taken by each, for co-operating with this ſtate, in maintaining unimpaired the authorities, rights and liberties, reſerved to the ſtates reſpectively, or to the people.

That the Governor be deſired to tranſmit a copy of the foregoing reſolutions to the executive authority of each of the other ſtates, with a requeſt that the ſame may be communicated to the legiſlature thereof.

And that a copy be furniſhed to each of the Senators and Repreſentatives repreſenting this ſtate in the Congreſs of the United States.

Atteſt, JOHN STEWART, C. H. D.

1798, *December the 24th, agreed to by the Senate.*

H. BROOKS, C. S.

## KENTUCKY LEGISLATURE.

*In the Houſe of Repreſentatives, November 10th, 1798.*

The Houſe, according to the ſtanding order of the day, reſolved itſelf in a committee of the whole on the ſtate of the Commonwealth, Mr. CALDWELL in the chair, and after ſome time ſpent thereon, the Speaker reſumed the chair, and Mr. Caldwell reported, that the committee had, according to order, had under conſideration the Governor's addreſs, and had come to the following RESOLUTIONS thereupon, which he delivered in at the clerk's table, where they were twice read and agreed to by the Houſe.

I. *RESOLVED*, That the ſeveral ſtates compoſing the United States of America, are not united on the principle of unlimited ſubmiſſion to their general government; but that by compact under the ſtyle and title of a conſtitution for the United States, and of amendments thereto, they conſtituted a general government for ſpecial purpoſes, delegated to that government certain definite powers, reſerving each ſtate to itſelf, the reſiduary maſs of right to their own ſelf government; and that whenſoever the general government aſſumes undelegated powers, its acts are unauthoritative, void, and of no force: That to this compact each ſtate acceded as a ſtate, and is an integral party, its co-ſtates forming, as to itſelf, the other party: That the government created by this compact was not made the excluſive or final *judge* of the extent of the powers delegated to itſelf; ſince that would have made its diſcretion, and not the conſtitution, the meaſure of its powers; but that as in all other caſes of compact among parties having no common judge, each

party has an equal right to judge for itſelf, as well of infractions as of the mode and meaſure of redreſs.

II. *Reſolved*, That the conſtitution of the United States having delegated to Congreſs a power to puniſh treaſon, counterfeiting the ſecurities and current coin of the United States, piracies and felonies committed on the High Seas, and offences againſt the laws of nations, and no other crimes whatever; and it being true as a general principle, and one of the amendments to the conſtitution having alſo declared, "that the powers not delegated to the United States by the conſtitution, nor prohibited by it to the ſtates, are reſerved to the ſtates reſpectively, or to the people," therefore alſo the ſame act of Congreſs paſſed on the 14th day of July, 1798, and entitled "An act in addition to the act entitled "An act for the puniſhment of certain crimes againſt the United States;" as alſo the act paſſed by them on the 27th day of June, 1798, entitled "An act to puniſh frauds committed on the Bank of the United States," (and all other their acts which aſſume to create, define, or puniſh crimes other than thoſe enumerated in the conſtitution) are altogether void and of no force, and that the power to create, define, and puniſh ſuch other crimes is reſerved, and of right appertains ſolely and excluſively to the reſpective ſtates, each within its own territory.

III. *Reſolved*, That it is true as a general principle, and is alſo expreſsly declared by one of the amendments to the conſtitution that "the powers not delegated to the United States by the conſtitution, nor prohibited by it to the ſtates, are reſerved to the ſtates reſpectively or to the people;" and that no power over the freedom of religion, freedom of ſpeech, or freedom of the preſs, being delegated to the United States by the conſtitution, nor prohibited by it to the ſtates, all lawful powers reſpecting the ſame, did of right remain, and were reſerved to the ſtates, or to the people: That thus was manifeſted their determination to retain to themſelves the right of judging how far the licentiouſneſs of ſpeech and of the preſs may be abidged without leſſening their uſeful freedom, and how far thoſe abuſes which cannot be ſeparated from their uſe, ſhould be tolerated rather than the uſe be deſtroyed; and thus alſo they guarded againſt all abridgment by the United States of the freedom of religious opinions and exerciſes, and retained to themſelves the right of protecting the ſame, as this ſtate by a law paſſed on the general demand of its citizens, had already protected them from all human reſtraint or interference. And that in addition to this general principle and expreſs declaration, another and more ſpecial proviſion has been made by one of the amendments to the conſtitution, which expreſsly declares, that "Congreſs ſhall make no law reſpecting an eſtabliſhment of religion, or prohibiting the free exerciſe thereof, or abridging the freedom of ſpeech, or of the preſs;" thereby guarding in the ſame ſentence, and under the ſame words, the freedom of religion, of ſpeech, and of the preſs, inſomuch, that whatever violates either, throws down the ſanctuary which covers the others, and that libels, falſehoods, and defamation, equally with hereſy and falſe religion, are withheld from the cognizance of federal tribunals. That therefore the act of the Congreſs of the United States, paſſed on the 14th day of July, 1798, entitled "An act in addition to the act for the puniſhment of certain crimes againſt the United States," which does abridge the freedom of the preſs, is not law, but is altogether void and of no effect.

IV. *Reſolved*, That alien friends are under the juriſdiction and protection of the laws of the ſtate wherein they are; that no power over them has been delegated to the United States, nor prohibited to the individual ſtates diſtinct from their power over citizens; and it being true as a general principle, and one of the amendments to the conſtitution having alſo declared, that "the powers not delegated to the United States by the conſtitution, nor prohibited by it to the ſtates, are reſerved to the ſtates reſpectively, or to the people," the act of the Congreſs of the United States paſſed on the 22d day of June, 1798, entitled "An act concerning aliens," which aſſumes power over alien friends not delegated by the conſtitution, is not law, but is altogether void and of no force.

V. *Reſolved*, That in addition to the general principle as well as the expreſs declaration, that powers not delegated are reſerved, another and more ſpecial proviſion inſerted in the conſtitution from abundant caution, has declared, "that the

*migration* or importation of ſuch perſons as any of the ſtates now exiſting ſhall think proper to admit, ſhall not be prohibited by the congreſs, prior to the year 1808." That this commonwealth does admit the migration of alien friends, deſcribed as the ſubject of the ſaid act concerning aliens; that a proviſion againſt prohibiting their migration is a proviſion againſt all acts equivalent thereto, or it would be nugatory; that to remove them when migrated is equivalent to a prohibition of their migration, and is therefore contrary to the ſaid proviſion of the conſtitution, and void.

VI. *Reſolved*, That the impriſonment of a perſon under the protection of the laws of this commonwealth, on his failure to obey the ſimple *order* of the Preſident to depart out of the United States, as is undertaken by the ſaid act entitled "An act concerning aliens," is contrary to the conſtitution, one amendment to which has provided, that "no perſon ſhall be deprived of liberty without due proceſs of law," and that another having provided "that in all criminal proſecutions the accuſed ſhall enjoy the right to a public trial by an impartial jury, to be informed of the nature and cauſe of the accuſation, to be confronted with the witneſſes againſt him, to have compulſory proceſs for obtaining witneſſes in his favour, and to have the aſſiſtance of counſel for his defence," the ſame act undertaking to authorize the Preſident to remove a perſon out of the United States who is under the protection of the law, on his own ſuſpicion, without accuſation, without jury, without public trial, without confrontation of the witneſſes againſt him, without having witneſſes in his favour, without defence, without counſel, is contrary to theſe proviſions alſo of the Conſtitution, is therefore not law, but utterly void and of no force.

That transferring the power of judging any perſon who is under the protection of the laws from the Courts to the Preſident of the United States, as is undertaken by the ſame act concerning aliens, is againſt the article of the conſtitution which provides, that "the judicial power of the United States ſhall be veſted in courts, the judges of which ſhall hold their offices during good behaviour," and that the ſaid act is void for that reaſon alſo; and it is further to be noted, that this transfer of judiciary power is to that magiſtrate of the general government who already poſſeſſes all the executive, and a qualified negative in all the legiſlative powers.

VII. *Reſolved*, That the conſtruction applied by the general government (as is evinced by ſundry of their proceedings) to thoſe parts of the conſtitution of the United States which delegates to congreſs a power to lay and collect taxes, duties, impoſts and exciſes; to pay the debts, and provide for the common defence and general welfare of the United States, and to make all laws which ſhall be neceſſary and proper for carrying into execution the powers veſted by the conſtitution in the government of the United States, or any department thereof, goes to the deſtruction of all the limits preſcribed to their power by the conſtitution. That words meant by that inſtrument to be ſubſidiary only to the execution of the limited power, ought not to be ſo conſtrued as themſelves to give unlimited powers, nor a part ſo to be taken, as to deſtroy the whole reſidue of the inſtrument: That the proceedings of the general government under colour of theſe articles, will be a fit and neceſſary ſubject for reviſal and correction at a time of greater tranquility, while thoſe ſpecified in the preceding reſolutions call for immediate redreſs.

VIII. *Reſolved*, That the preceding reſolutions be tranſmitted to the Senators and Repreſentatives in Congreſs from this commonwealth, who are hereby enjoined to preſent the ſame to their reſpective houſes, and to uſe their beſt endeavours to procure at the next ſeſſion of congreſs, a repeal of the aforeſaid unconſtitutional and obnoxious acts.

IX. *Reſolved* laſtly, That the Governor of this Commonwealth be, and he is hereby authoriſed and requeſted to communicate the preceding reſolutions to the legiſlatures of the ſeveral ſtates, to aſſure them that this Commonwealth conſiders Union for ſpecified national purpoſes, and particularly for thoſe ſpecified in the late Federal Compact, to be friendly to the peace, happineſs and proſperity of all the ſtates: that faithful to that compact, according to the plain intent and meaning in which it was underſtood and acceded to by the ſeveral parties, it is ſincerely anxious for its preſervation; that it does alſo believe, that to take from the ſtates

ll the powers of ſelf-government, and transfer them to a general and conſolidated overnment, without regard to the ſpecial delegations and reſervations ſolemnly greed to in that compact, is not for the peace, happineſs or proſperity of theſe ates: And that, therefore, this commonwealth is determined, as it doubts not its o-ſtates are, tamely to ſubmit to undelegated and conſequently unlimited powers no man or body of men on earth: that if the acts before ſpecified ſhould ſtand, heſe conclusions would flow from them; that the general government may place ny act they think proper on the liſt of crimes and puniſh it themſelves, whether numerated or not enumerated by the conſtitution, as cognizable by them: that ey may transfer its cognizance to the Preſident or any other perſon, who may imſelf be the accuſer, counſel, judge and jury, whoſe *ſuſpicions* may be the evi-ence, his order the ſentence, his officer the executioner, and his breaſt the ſole ecord of the tranſaction: that a very numerous and valuable deſcription of the nhabitants of theſe ſtates, being by this precedent reduced as outlaws to the abſo-ute dominion of one man, and the barrier of the conſtitution thus ſwept away from s all, no rampart now remains againſt the paſſions and the power of a majority of Congreſs to protect from a like exportation, or other more grievous puniſhment, he minority of the ſame body, the legiſlatures, judges, governors and counſellors f the ſtates, nor their other peaceable inhabitants who may venture to reclaim the onſtitutional rights and liberties of the ſtates and people, or who, for other cauſes, ood or bad, may be obnoxious to the views, or marked by the ſuſpicions of the Pre-ident, or be thought dangerous to his or their elections or other intereſts public or erſonal: that the friendleſs alien has indeed been ſelected as the ſafeſt ſubject of a irſt experiment; but the citizen will ſoon follow, or rather has already followed; or, already has a Sedition Act marked him as its prey: that theſe and ſucceſſive cts of the ſame character, unleſs arreſted on the threſhold, may tend to drive theſe tates into revolution and blood, and will furniſh new calumnies againſt republi-an governments, and new pretexts for thoſe who wiſh it to be believed, that man annot be governed but by a rod of iron: that it would be a dangerous deluſion were a confidence in the men of our choice to ſilence our fears for the ſafety of our ights: that confidence is every where the parent of deſpotiſm: free government s founded in jealouſy and not in confidence; it is jealouſy and not confidence hich preſcribes limited conſtitutions to bind down thoſe whom we are obliged to ruſt with power: that our conſtitution has accordingly fixed the limits to which nd no further our confidence may go; and let the honeſt advocate of confidence ead the Alien and Sedition Acts and ſay if the conſtitution has not been wiſe in fix-ng limits to the government it created, and whether we ſhould be wiſe in deſtroy-ng thoſe limits? Let him ſay what the government is if it be not a tyranny, which he men of our choice have conferred on the Preſident, and the Preſident of our choice has aſſented to and accepted over the friendly ſtrangers, to whom the mild ſpirit of our country and its laws had pledged hoſpitality and protection: that the men of our choice have more reſpected the bare ſuſpicions of the Preſident than he ſolid rights of innocence, the claims of juſtification, the ſacred force of truth, and the forms and ſubſtance of law and juſtice. In queſtions of power then let no more be heard of confidence in man, but bind him down from miſchief by the chains of the conſtitution. That this commonwealth does therefore call on its co-ſtates for an expreſſion of their ſentiments on the acts concerning Aliens, and for he puniſhment of certain crimes herein before ſpecified, plainly declaring whether theſe acts are or are not authoriſed by the Federal Compact? And it doubts not that their ſenſe will be ſo announced as to prove their attachment unaltered to lim-ted government, whether general or particular, and that the rights and liberties of their co-ſtates will be expoſed to no dangers by remaining embarked on a common bottom with their own: that they will concur with this commonwealth in conſid-ering the ſaid acts as ſo palpably againſt the conſtitution as to amount to an undiſ-guiſed declaration, that the Compact is not meant to be the meaſure of the powers of the general government, but that it will proceed in the exerciſe over theſe ſtates of all powers whatſoever: that they will view this as ſeizing the rights of the ſtates and conſolidating them in the hands of the general government with a power aſſum-ed to bind the ſtates (not merely in caſes made federal) but in all caſes whatſoever,

by laws made, not with their consent, but by others against their consent: that t
would be to surrender the form of government we have chosen, and to live u
one deriving its powers from its own will, and not from our authority; and t
the co-states recurring to their natural right in cases not made federal, will co
in declaring these acts void and of no force, and will each unite with this com
wealth in repealing their repeal at the next session of Congress.

EDMUND BULLOCK, S. H. R.
JOHN CAMPBELL, S. S. P. T.

Passed the House of Representatives, Nov. 10th, 17
Attest, THOMAS TODD, C. H. R.

IN SENATE, Nov. 13th, 1798, unanimously concurred in.
Attest, B. THURSTON, Clk. Sen.

Approved November 16th, 1798.
JAMES GARRARD, G. K.

By the Governor,
HARRY TOULMIN, *Secretary of State.*

*Ordered*, That the said message of his Excellency the Governor, together wi
the resolutions which accompanied the same, be committed to a committee of t
whole House.

Mr. Dewey from the committee of the whole House on the bill entitled "An a
for the relief of Charles Leggett, Nehemiah Mead and others," reported, that t
committee had gone through the bill, made amendments, and agreed to the sa
which he was directed to report to the House, and he read the report in his pl
and delivered the bill and amendments in at the table, where they were again re
and agreed to by the House.

*Ordered*, That the bill be engrossed.

Mr. John M. Smith from the committee of the whole House on the bill entitl
"An act for the relief of John Livingston and Edward Livingston," reported, th
the committee had gone through the bill and agreed to the same without amen
ment, which he was directed to report to the House, and he read the report in h
place, and delivered the same in at the table, where it was again read and agre
to by the House.

*Ordered*, That the bill be engrossed.

Mr. Comstock from the committee of the whole House on the bill entitled "A
act to encourage the destroying of wolves and panthers," reported, that the com
mittee had gone through the bill, made amendments, added clauses, and agreed t
the same, which he was directed to report to the House, and he read the report i
his place, and delivered the bill, amendments, and clauses in at the table, whe
they were again read and agreed to by the House.

*Ordered*, That the bill be engrossed.

Then the House adjourned until ten o'clock to-morrow morning.

THURSDAY, *ten o'clock, A. M. January 31st*, 1799.

The bill entitled "An act to continue the treasurer of this state in office," w
read the third time.

Mr. Speaker put the question, whether the said bill should pass, and it was ca
ried in the affirmative. The yeas and nays being called for by Mr. Swartwo
seconded by Mr. Wellcott, were as follows, viz.

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Mr. Abeel | Mr. Deitz | Mr. C. Lanfingh | Mr. Savage |
| Mr. Adams | Mr. Dewey | Mr. Lee | Mr. Schermerhorn |
| Mr. Adgate | Mr. De Witt | Mr. Lefevre | Mr. Schuneman |
| Mr. Adriance | Mr. Dodge | Mr. Lott | Mr. Schuyler |
| Mr. Arcularius | Mr. Fort | Mr. M'Intyre | Mr. Shurtleff |
| Mr. Baldwin | Mr. French | Mr. C. M'Kinftry | Mr. Skidmore |
| Mr. Barker | Mr. Gates | Mr. J. M'Kinftry | Mr. A. Smith |
| Mr. Bill | Mr. Germain | Mr. M'Neil | Mr. H. Smith |
| Mr. Blake | Mr. B. Gilbert | Mr. Micheau | Mr. John Smith |
| Mr. Boyd | Mr. E. Gilbert | Mr. Moore | Mr. John M. Smith |
| Mr. Bruyn | Mr. Gray | Mr. W. Mott | Mr. Joshua Smith |
| Mr. Burling | Mr. Heermance | Mr. Nexen | Mr. Snell |
| Mr. Burt | Mr. Henry | Mr. Oftrom | Mr. Storm |
| Mr. Butler | Mr. Hoag | Mr. Paine | Mr. Swart |
| Mr. Campbell | Mr. Honeywell | Mr. Pauling | Mr. Tabor |
| Mr. Carpenter | Mr. Hopkins | Mr. Peck | Mr. P. Ten Broeck |
| Mr. Coe | Mr. Hunt | Mr. Philips | Mr. Veeder |
| Mr. Comftock | Mr. Johnfon | Mr. Reynolds | Mr. Voorhis |
| Mr. Corl | Mr. Kane | Mr. Robins | Mr. Waren |
| Mr. Crocker | Mr. King | Mr. Root | Mr. Wellcot 82 |
| Mr. Cummings | Mr. Landon | | |

*For the Negative.*

| | | | |
|---|---|---|---|
| Mr. Philip Smith | Mr. Swartwout | Mr. Teed | 3 |

Thereupon, *Refolved*, That the bill do pafs.

The bill entitled "An act for the relief of John Livingfton and Edward Livingfton," was read the third time.

*Refolved*, That the bill do pafs.

The bill entitled "An act for the relief of Charles Legget, Nehemiah Mead and others," was read the third time.

*Refolved*, That the bill do pafs.

The bill entitled "An act to encourage the deftroying of wolves and panthers," was read the third time.

Mr. Speaker put the queftion, whether the faid bill fhould pafs, and it was carried in the affirmative. The yeas and nays being called for by Mr. Hoag, feconded by Mr. John M. Smith, were as follows, viz.

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Mr. Abeel | Mr. Deitz | Mr. Lee | Mr. Robins |
| Mr. Adams | Mr. Dewey | Mr. Lefevre | Mr. Root |
| Mr. Adgate | Mr. De Witt | Mr. M'Intyre | Mr. Schuneman |
| Mr. Arcularius | Mr. Dodge | Mr. J. M'Kinftry | Mr. Shurtleff |
| Mr. Baldwin | Mr. Doty | Mr. M'Neil | Mr. Skidmore |
| Mr. Blake | Mr. Fort | Mr. Moore | Mr. H. Smith |
| Mr. Bruyn | Mr. Gates | Mr. W. Mott | Mr. Snell |
| Mr. Burling | Mr. Germain | Mr. Nexen | Mr. Swart |
| Mr. Burt | Mr. B. Gilbert | Mr. Oftrom | Mr. Swartwout |
| Mr. Butler | Mr. Henry | Mr. Paine | Mr. Tabor |
| Mr. Campbell | Mr. Honeywell | Mr. Pauling | Mr. P. Ten Broeck |
| Mr. Carpenter | Mr. Hunt | Mr. Peck | Mr. Veeder |
| Mr. Coe | Mr. Johnfon | Mr. Philips | Mr. Voorhis |
| Mr. Comftock | Mr. Kane | Mr. Prevoft | Mr. Waren |
| Mr. Corl | Mr. King | Mr. Reynolds | Mr. Wellcot 62 |
| Mr. Cummings | Mr. J. Lanfingh | | |

*For the Negative.*

| | | | |
|---|---|---|---|
| Mr. Adriance | Mr. E. Gilbert | Mr. Lott | Mr. John Smith |
| Mr. Barker | Mr. Gray | Mr. Micheau | Mr. John M. Smith |
| Mr. Bill | Mr. Heermance | Mr. Savage | Mr. Joshua Smith |
| Mr. Boyd | Mr. Hoag | Mr. Schermerhorn | Mr. Philip Smith |
| Mr. Crocker | Mr. Hopkins | Mr. Schuyler | Mr. Storm |
| Mr. French | Mr. Landon | Mr. A. Smith | Mr. Teed 26 |
| Mr. Furman | Mr. C. Lanfingh | | |

Thereupon, *Reſolved*, That the bill do paſs.

*Ordered*, That Mr. Gray and Mr. Heermance deliver the four laſt mentioned bills to the Hon. the Senate, and requeſt their concurrence to the ſaid bills reſpectively.

A petition of Philip Cook and others, freeholders and inhabitants of Young's Patent, in the county of Herkimer, remonſtrating againſt annexing the ſaid patent to the county of Otſego, was read and referred to Mr. Butler, Mr. Shurtleff and Mr. J. M'Kinſtry.

A petition of Joſeph Younglove and others, inhabitants of the county of Washington, praying that the town of Salem, in ſaid county, may by law be eſtabliſhed as the only place for holding the courts of general ſeſſions of the peace and common pleas therein, was read and committed to a committee of the whole House when on the bill relative to the courts in ſaid county.

A petition of Thomas Hartwell, praying compenſation for military ſervices, was read and referred to Mr. Bruyn, Mr. Pauling and Mr. Fort.

A petition of Cornelius Lanſing and others, and a petition of Hezekiah Ketchum and others, freeholders and inhabitants of the towns of Lanſingburgh and Waterford, relative to improving the navigation of the river Hudſon between the towns of Lanſingburgh and Troy, was read and referred to Mr. Burr, Mr. Hoag and Mr. P. Smith.

A petition of John Vail, relative to a demand againſt the forfeited eſtate of Jeremiah Traviſs, was read and ordered to be laid on the table.

A petition of Jacob Ryder, relative to a demand againſt the forfeited eſtate of Jeremiah Traviſs, was read, and a motion made that the ſame be ordered to be laid on the table. Mr. Speaker put the queſtion on the ſaid motion, and it was carried in the affirmative. The yeas and nays being called for by Mr. A. Smith, ſeconded by Mr. Van Benthuyſen, were as follows, viz.

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Mr. Abeel | Mr. Cummings | Mr. Kane | Mr. Savage |
| Mr. Adams | Mr. Dewey | Mr. Landon | Mr. H. Smith |
| Mr. Adgate | Mr. De Witt | Mr. Lott | Mr. John Smith |
| Mr. Arcularius | Mr. Dodge | Mr. Micheau | Mr. Joſhua Smith |
| Mr. Barker | Mr. French | Mr. E. Mott | Mr. Philip Smith |
| Mr. Bill | Mr. Furman | Mr. Nexen | Mr. Storm |
| Mr. Blake | Mr. Gates | Mr. Paine | Mr. Swart |
| Mr. Boyd | Mr. B. Gilbert | Mr. Peck | Mr. Swartwout |
| Mr. Burt | Mr. E. Gilbert | Mr. Philips | Mr. Tabor |
| Mr. Butler | Mr. Gray | Mr. Prevoſt | Mr. P. Ten Broeck |
| Mr. Carpenter | Mr. Heermance | Mr. Reynolds | Mr. Voorhis |
| Mr. Clark | Mr. Henry | Mr. Robins | Mr. Weſtcott |
| Mr. Comſtock | Mr. Hoag | Mr. Root | Mr. Williamſon |
| Mr. Crocker | Mr. Hopkins | | |

*For the Negative.*

| | | | |
|---|---|---|---|
| Mr. Adriance | Mr. German | Mr. J. M'Kinſtry | Mr. Skidmore |
| Mr. Baldwin | Mr. Honeywell | Mr. W. Mott | Mr. A. Smith |
| Mr. Bruyn | Mr. Hunt | Mr. Oſtrom | Mr. John M. Smith |
| Mr. Burling | Mr. Johnſon | Mr. Pauling | Mr. Snell |
| Mr. Campbell | Mr. C. Lanſingh | Mr. Schermerhorn | Mr. Teed |
| Mr. Coe | Mr. Lee | Mr. Schuneman | Mr. Van Benthuyſen |
| Mr. Deitz | Mr. Lefevre | Mr. Schuyler | Mr. Veeder |
| Mr. Doty | Mr. M'Intyre | Mr. Shurtleff | Mr. Waren |
| Mr. Fort | Mr. C. M'Kinſtry | | |

Thereupon, *Ordered*, That the ſaid petition be laid on the table.

Mr. A. Smith from the committee to whom was referred the petition of the proprietors of Minniford's Iſland, in Weſtcheſter county, reported, that the petitioners have by their petition repreſented that they are proprietors of an iſland ſituate in the Sound or Eaſt River, in the town of Pelham, in the county of Weſtcheſter, called Minniford's Iſland; the committee having examined the petition and other papers accompanying the ſame, are of opinion that the facts ſtated in the petition, are true, that the original ſurvey or plan thereof is concealed or deſtroyed, and that it is not in the power of the proprietors to aſcertain either the bounds or ſituation of their reſpective ſhares on the ſaid iſland, or thoſe parts that were laid out for pub-

ects. The committee are therefore of opinion that legiſlative aid ought to anted to ſaid petitioners; that they have prepared a bill for that purpoſe and directed their chairman to aſk for leave to bring in the ſame.

ave being given, Mr. Smith brought in the ſaid bill entitled "An act for the of the proprietors of Minniford's Iſland," which was read the firſt time and ed a ſecond reading.

r. Arcularius from the ſelect committee to whom was committed the bill en- "An act to encourage and improve the manufacture, and to provide for and ate the inſpection of ſoal leather, likewiſe to guard againſt the gaſhing and ng of hides and ſkins," reported, that the committee had gone through the bill, e amendments and added clauſes, which he was directed to report to the Houſe, he read the report in his place and delivered the ſame in at the table, where it gain read: Thereupon,

*dered*, That the ſaid bill be committed to a committee of the whole Houſe.

hen the Houſe, purſuant to the order of the day, reſolved itſelf into a commit- f the whole Houſe on the bill entitled "An act for the gradual abolition of ry in the ſtate of New-York," and after ſome time ſpent thereon, Mr. Speaker ned the chair, and Mr. Reynolds from the ſaid committee, reported, that in pro- ing in the ſaid bill, and after the ſame had been read, the firſt enacting clauſe gain read and is in the words following, viz.

e it enacted by the People of the State of New-York, repreſented in Senate and mbly, That every child born of a ſlave within this ſtate, after the day of next, ſhall be deemed and adjudged to be born free; *Provided nevertheleſs*, t ſuch child ſhall be the ſervant of the legal proprietor of his or her mother un- ch ſervant, if a male, ſhall arrive at the age of years; and if a female, e age of years.

hat the queſtion having been put, whether the committee did agree to the ſaid ſe, it was carried in the affirmative. That the yeas and nays were called for Mr. Root, ſeconded by Mr. John M. Smith, and were as follows, viz.

*For the Affirmative.*

| | | | | |
|---|---|---|---|---|
| Adgate | Mr. Crocker | Mr. Hunt | Mr. Robins | |
| Arcularius | Mr. Cummings | Mr. Johnſon | Mr. Root | |
| Baldwin | Mr. Deitz | Mr. Kane | Mr. Savage | |
| Barker | Mr. Dewey | Mr. C. Lanſingh | Mr. Shurtleff | |
| Bill | Mr. Dodge | Mr. J. Lanſingh | Mr. A. Smith | |
| Blake | Mr. Fort | Mr. Lee | Mr. H. Smith | |
| Boyd | Mr. French | Mr. M'Intyre | Mr. John Smith | |
| Bruyn | Mr. Furman | Mr. C. M'Kinſtry | Mr. Philip Smith | |
| Burling | Mr. Gates | Mr. J. M'Kinſtry | Mr. Speaker | |
| Burr | Mr. German | Mr. Moore | Mr. Swartwout | |
| Burt | Mr. B. Gilbert | Mr. E. Mott | Mr. Tabor | |
| Butler | Mr. E. Gilbert | Mr. Nexen | Mr. Teed | |
| Campbell | Mr. Gray | Mr. Oſtrom | Mr. S. Ten Broeck | |
| Carpenter | Mr. Henry | Mr. Paine | Mr. Voorhis | |
| Clark | Mr. Hoag | Mr. Peck | Mr. Waren | |
| Coe | Mr. Honeywell | Mr. Philips | Mr. Weſtcott | |
| Comſtock | Mr. Hopkins | Mr. Prevoſt | Mr. Williamſon | 68 |

*For the Negative.*

| | | | | |
|---|---|---|---|---|
| Abeel | Mr. Lefevre | Mr. Schuneman | Mr. Swart | |
| Adams | Mr. Lott | Mr. Schuyler | Mr. P. Ten Broeck | |
| Adriance | Mr. Micheau | Mr. Skidmore | Mr. Van Benthuyſen | |
| De Witt | Mr. W. Mott | Mr. John M. Smith | Mr. Van Renſſelaer | |
| Doty | Mr. Pauling | Mr. Joſhua Smith | Mr. Veeder | 23 |
| Landon | Mr. Schermerhorn | Mr. Snell | | |

hat in proceeding further in the ſaid bill, the ſecond enacting clauſe thereof again read and is in the words following, viz.

nd be it further enacted, That ſuch proprietor ſhall be entitled to the ſervice of child, until he or ſhe arrive to the age aforeſaid, in the ſame manner as if ſuch d had been bound to ſervice by the overſeers of the poor; but the perſon en- d to ſuch ſervice may, nevertheleſs, within one year after the birth of ſuch child, to abandon his or her right to ſuch ſervice, in which caſe ſuch child ſhall be

conſidered as a pauper, to be maintained by the town or city in which the pr
tor of the mother of ſuch child ſhall reſide at the time of its birth, and to be
to be bound out until the age aforeſaid.

That Mr. P. Smith made a motion that the committee ſhould agree to ex
from the ſaid clauſe the following words, to wit: "But the perſon entitled to
ſervice may, nevertheleſs, within one year after the birth of ſuch child, e
abandon his or her right to ſuch ſervice, in which caſe ſuch child ſhall be co
ed as a pauper, to be maintained by the town or city in which the proprietor
mother of ſuch child ſhall reſide at the time of its birth, and to be liable
bound out until the age aforeſaid." That debates were had, and the queſtion
ing been put on the motion, of Mr. Smith, it paſſed in the negative. That
yeas and nays were called for by Mr. Peck, ſeconded by Mr. Savage, and w
follows, viz.

*For the Negative.*

| | | | |
|---|---|---|---|
| Mr. Abeel | Mr. De Witt | Mr. M'Neil | Mr. John Smith |
| Mr. Adgate | Mr. Dodge | Mr. Micheau | Mr. Joſhua Smith |
| Mr. Arcularius | Mr. Fort | Mr. Moore | Mr. Snell |
| Mr. Baldwin | Mr. French | Mr. E. Mott | Mr. Speaker |
| Mr. Barker | Mr. Gates | Mr. Oſtrom | Mr. Swart |
| Mr. Bill | Mr. E. Gilbert | Mr. Paine | Mr. Swartwout |
| Mr. Burling | Mr. Heermance | Mr. Pauling | Mr. Tabor |
| Mr. Burr | Mr. Hogeboom | Mr. Philips | Mr. Teed |
| Mr. Butler | Mr. Honeywell | Mr. Prevoſt | Mr. P. Ten Broeck |
| Mr. Campbell | Mr. Hopkins | Mr. Robins | Mr. S. Ten Broeck |
| Mr. Coe | Mr. Hunt | Mr. Schuneman | Mr. Van Benthuy |
| Mr. Comſtock | Mr. Johnſon | Mr. Schuyler | Mr. Van Renſelaer |
| Mr. Crocker | Mr. Kane | Mr. Shurtleff | Mr. Veeder |
| Mr. Cummings | Mr. J. Lanſingh | Mr. Skidmore | Mr. Voorhis |
| Mr. Deitz | Mr. Lee | Mr. A. Smith | Mr. Waren |
| Mr. Dewey | Mr. M'Intyre | Mr. H. Smith | Mr. Williamſon |

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Mr. Adams | Mr. Furman | Mr. Landon | Mr. Schermerhorn |
| Mr. Blake | Mr. German | Mr. C. Lanſingh | Mr. Philip Smith |
| Mr. Boyd | Mr. B. Gilbert | Mr. Lefevre | Mr. Storm |
| Mr. Bruyn | Mr. Gray | Mr. Peck | Mr. Thomas |
| Mr. Burt | Mr. Henry | Mr. Root | Mr. Weſtcott |
| Mr. Clark | Mr. Hoag | Mr. Savage | |

That Mr. Van Renſſelaer then made a motion, that the committee ſhould a
to expunge from the ſaid clauſe the words "*the town or city in which the proprie
the mother of ſuch child ſhall reſide at the time of its birth,*" for the purpoſe of inſer
in lieu thereof "*the State;*" that debates were had thereon, and the queſtion be
put whether the committee did agree to the motion of Mr. Van Renſſelaer, it
carried in the affirmative; that the yeas and nays were called for by Mr. Boyd,
conded by Mr. Van Renſſelaer, and were as follows, viz.

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Mr. Abeel | Mr. Hogeboom | Mr. Nexen | Mr. John M. Smith |
| Mr. Adams | Mr. Honeywell | Mr. Oſtrom | Mr. Joſhua Smith |
| Mr. Adriance | Mr. Hunt | Mr. Philips | Mr. Snell |
| Mr. Boyd | Mr. Kane | Mr. Prevoſt | Mr. Speaker |
| Mr. Bruyn | Mr. Landon | Mr. Robins | Mr. Swart |
| Mr. Burling | Mr. C. Lanſingh | Mr. Schermerhorn | Mr. Swartwout |
| Mr. Burr | Mr. J. Lanſingh | Mr. Schuneman | Mr. P. Ten Broeck |
| Mr. Carpenter | Mr. Lefevre | Mr. Schuyler | Mr. S. Ten Broeck |
| Mr. Coe | Mr. Lott | Mr. Shurtleff | Mr. Van Benthuy |
| Mr. Deitz | Mr. M'Intyre | Mr. Skidmore | Mr. Van Renſſelaer |
| Mr. De Witt | Mr. Micheau | Mr. A. Smith | Mr. Veeder |
| Mr. Furman | Mr. Moore | Mr. John Smith | Mr. Williamſon |
| Mr. Heermance | Mr. W. Mott | | |

*For the Negative.*

| | | | |
|---|---|---|---|
| Mr. Adgate | Mr. Crocker | Mr. Gray | Mr. Root |
| Mr. Arcularius | Mr. Cummings | Mr. Henry | Mr. Savage |
| Mr. Barker | Mr. Dewey | Mr. Hoag | Mr. H. Smith |
| Mr. Bill | Mr. Dodge | Mr. Hopkins | Mr. Philip Smith |
| Mr. Blake | Mr. Doty | Mr. Johnſon | Mr. Storm |
| Mr. Burt | Mr. Fort | Mr. Lee | Mr. Tabor |
| Mr. Butler | Mr. French | Mr. M'Neil | Mr. Teed |
| Mr. Campbell | Mr. Gates | Mr. E. Mott | Mr. Thomas |
| Mr. Clark | Mr. German | Mr. Paine | Mr. Voorhis |
| Mr. Comſtock | Mr. B. Gilbert | Mr. Pauling | Mr. Waren |
| Mr. Corl | Mr. E. Gilbert | Mr. Peck | Mr. Weſtcott 44 |

Mr. Reynolds reported further progreſs, and obtained leave to ſit again.

Mr. Oſtrom from the committee of the whole Houſe, on the bill entitled "An act to explain the law and rectify miſtakes reſpecting the payment and remiſſion of quit rent," reported progreſs, and obtained leave to ſit again.

*Ordered*, That Mr. Pearce and Mr. Clift have leave of abſence for five days.

*Ordered*, That the committee of the whole Houſe be diſcharged from the further conſideration of the bill entitled "An act to eſtabliſh a turnpike corporation for improving the ſtate road from the Houſe of John Weaver, in Watervliet, to Cherry-Valley, and to repeal the act therein mentioned," and that the ſame be committed to a ſelect committee conſiſting of Mr. Doty, Mr. German and Mr. Weſtcott.

Then the Houſe adjourned until eleven o'clock to-morrow morning.

FRIDAY, *eleven o'clock, A. M. February* 1, 1799.

The bill entitled "An act for the relief of John Stevenſon," and the bill entitled "An act for the relief of the proprietors of Minniford's iſland," were ſeverally read the ſecond time and committed to a committee of the whole Houſe.

A petition of Alexander Comrie, praying compenſation for improvements made by him on a lot of land ſold by the commiſſioners of forfeitures for the Weſtern Diſtrict, was read and referred to Mr. M'Intyre, Mr. Cummings and Mr. Hunt.

Mr. Burling, purſuant to notice by him for that purpoſe heretofore given, moved for, and obtained leave to bring in a bill entitled "An act to aſcertain the ſize of apple barrels within this ſtate," which was read the firſt time, and ordered a ſecond reading.

Mr. Comſtock made a motion for a reſolution with recitals, which having been read was concurred in by the Houſe, in the words following, viz.

Whereas there are a large number of perſons confined in the gaols of the ſeveral counties of this ſtate for debts which it appears they are utterly unable to pay, and that by the exiſting laws of this ſtate theſe unfortunate perſons are liable to perpetual impriſonment at the will of their creditors.

And whereas thouſands of the good people of this ſtate have petitioned this legiſlature, praying that a law may be paſſed for their relief, and this legiſlature being ever attentive to the cries of diſtreſs, the voice of the people and of juſtice: Therefore,

*Reſolved*, (if the Hon. the Senate concur herein) that a joint committee of both Houſes be appointed to take the ſubject matter of the ſaid petitions into conſideration, that they report their opinion thereon by bill or otherwiſe, and in caſe of ſuch concurrence that Mr. Burr, Mr. Tabor, Mr. Lefevre, Mr. Comſtock and Mr. Hall be of the ſaid committee on the part of this Houſe.

*Ordered*, That Mr. Hoag and Mr. Hunt deliver a copy of the preceding reſolution to the Hon. the Senate.

Mr. Hopkins from the ſelect committee to whom was committed the bill entitled "An act relative to the clerk's office in the ſeveral counties of this ſtate," reported, that the committee had gone through the bill, made amendments and added clauſes, which he was directed to report to the Houſe, and he read the report in his place and delivered the bill, amendments and clauſes in at the table, where they were again read: Thereupon,

*Ordered*, That the ſaid bill be recommitted to a committee of the whole Houſe.

Mr. Moore from the committee to whom was referred the petition of William Cockburn, reported, that a certain claſs, whereof Jacob Trumphour was head, in Col. John Snyder's regiment of militia in Ulſter county, did, on the 8th day of May,

1782, furniſh a man by the name of Henry Ploegh, and received by the muſter-maſter to ſerve on the frontiers of this ſtate, or in the line of the army of the United States, whereby the ſaid claſs became entitled to two hundred acres of land by an act entitled "An act for the raiſing troops to complete the line of this ſtate in the ſervice of the United States, and the two regiments to be raiſed on bounties of unappropriated lands, and for the further defence of the frontiers of this ſtate," paſſed the 23d of March, 1782. And it alſo appears to the committee, from papers accompanying the petition, that the ſaid claſs right is veſted in William Cockburn, the petitioner. The committee are therefore of opinion, that the petitioner is entitled to relief; they have prepared a bill for that purpoſe and directed their chairman to aſk leave to bring in the ſame. Leave being given, Mr. Moore brought in the ſaid bill entitled "An act for the relief of William Cockburn," which was read the firſt time and ordered a ſecond reading.

Mr. Prevoſt from the committee of the whole Houſe, on the bill entitled "An act to aboliſh impriſonment for debts contracted after the 4th July 1799," reported progreſs: Thereupon,

*Ordered*, That the committee of the whole Houſe be diſcharged from the further conſideration of the ſaid bill, and that the ſame be committed to a ſelect committee conſiſting of Mr. Peck, Mr. Comſtock and Mr. Reynolds.

A meſſage from the Hon. the Senate, delivered by Mr. Morris and Mr. Myers, with the bill therein mentioned, was read, that the Senate have paſſed the bill entitled "An act to amend the act entitled "An act ſupplementary to the act entitled "An act to improve the navigation of Hudſon's river in the places therein mentioned," to which they requeſt the concurrence of this Houſe.

The ſaid bill was read the firſt time and ordered a ſecond reading.

A meſſage from the Hon. the Council of Reviſion, delivered by the Hon. Mr. Juſtice Benſon, was read, that it does not appear improper to the council that the bill entitled "An act for dividing the town of Broadalbin in the county of Montgomery," the bill entitled "An act relative to the ſupreme court of this ſtate," the bill entitled "An act to annex a part of the town of Colcheſter, in the county of Delaware, to the town of Walton in ſaid county," and the bill entitled "An act to amend the act for the relief of Ebenezer Mott," ſhould reſpectively become laws of this ſtate."

Mr. Reynolds from the committee of the whole Houſe on the bill entitled "An act for the gradual abolition of ſlavery in the ſtate of New-York," reported, that in proceeding in the ſaid bill, Mr. Comſtock made a motion that the committee ſhould agree to expunge the whole of the ſaid bill, beginning with the word "but" in the ſecond enacting clauſe; that debates were had, and the queſtion being put thereon, it was carried in the affirmative. The yeas and nays were called for by Mr. Peck, ſeconded by Mr. S. Ten Broeck, and were as follows, viz.

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Mr. Adams | Mr. Coe | Mr. Hunt | Mr. Robins |
| Mr. Adgate | Mr. Comſtock | Mr. Johnſon | Mr. Root |
| Mr. Arcularius | Mr. Crocker | Mr. C. Lanſingh | Mr. Savage |
| Mr. Baldwin | Mr. Dodge | Mr. Lee | Mr. Shurtleff |
| Mr. Barker | Mr. Doty | Mr. M'Intyre | Mr. A. Smith |
| Mr. Bill | Mr. Fort | Mr. J. M'Kinſtry | Mr. John Smith |
| Mr. Blake | Mr. French | Mr. M'Neil | Mr. Philip Smith |
| Mr. Boyd | Mr. Furman | Mr. E. Mott | Mr. Speaker |
| Mr. Burling | Mr. Gates | Mr. Nexen | Mr. Teed |
| Mr. Burr | Mr. German | Mr. Oſtrom | Mr. Thomas |
| Mr. Burt | Mr. E. Gilbert | Mr. Paine | Mr. Voorhis |
| Mr. Butler | Mr. Gray | Mr. Peck | Mr. Waren |
| Mr. Carpenter | Mr. Hoag | Mr. Philips | Mr. Weſtcott |
| Mr. Clark | Mr. Hopkins | Mr. Prevoſt | Mr. Williamſon 56 |

*For the Negative.*

| | | | |
|---|---|---|---|
| Mr. Bruyn | Mr. Lefevre | Mr. Schuyler | Mr. Swartwout |
| Mr. Deitz | Mr. Lott | Mr. Skidmore | Mr. Tabor |
| Mr. De Witt | Mr. Micheau | Mr. H. Smith | Mr. P. Ten Broeck |
| Mr. Heermance | Mr. Moore | Mr. John M. Smith | Mr. S. Ten Broeck |
| Mr. Hogeboom | Mr. W. Mott | Mr. Joſhua Smith | Mr. Van Benthuyſen |
| Mr. Landon | Mr. Pauling | Mr. Snell | Mr. Van Renſſelaer |
| Mr. J. Lanſingh | Mr. Schuneman | Mr. Swart | Mr. Veeder 28 |

That in proceeding further in the ſaid bill, Mr. Van Renſſelaer made a motion, the committe ſhould agree to add a clauſe thereto in the words following, viz. And be it further enacted, That whenever any perſon who ſhall become free by ue of this act ſhall become chargeable, ſuch perſon ſhall be deemed the poor of ſtate: Provided nevertheleſs, That they ſhall be provided for, in the firſt in- nce, by the overſeers of the poor of the town in which they may reſide, who ſhall nually be entitled to receive from the treaſury of this ſtate ſuch ſum or ſums as y may have ſo expended, after their accounts ſhall have been audited by the erviſors of the county in which the poor maſters reſide.

That debates were had, and the queſtion having been put thereon it paſſed in the ative. The yeas and nays being called for by Mr. Van Renſſelaer, ſeconded by . Joſhua Smith, were as follows, viz.

*For the Negative.*

| | | | |
|---|---|---|---|
| . Adams | Mr. Clark | Mr. Hall | Mr. Peck |
| . Adgate | Mr. Comſtock | Mr. Henry | Mr. Root |
| . Arcularius | Mr. Crooker | Mr. Hoag | Mr. Savage |
| . Baldwin | Mr. Cummings | Mr. Hopkins | Mr. Philip Smith |
| . Barker | Mr. Dodge | Mr. Hunt | Mr. Speaker |
| . Bill | Mr. Doty | Mr. Johnſon | Mr. Swartwout |
| . Blake | Mr. Fort | Mr. Lee | Mr. Tabor. |
| . Boyd | Mr. French | Mr. J. M'Kinſtry | Mr. Teed |
| . Burling | Mr. Gates | Mr. M'Neil | Mr. Thomas |
| . Burt | Mr. German | Mr. E. Mott | Mr. Voorhis |
| . Butler | Mr. E. Gilbert | Mr. Nexen | Mr. Waren |
| . Campbell | Mr. Gray | Mr. Paine | Mr. Weſtcott 42 |
| . Carpenter | | | |

*For the Affirmative.*

| | | | |
|---|---|---|---|
| r. Adriance | Mr. Landon | Mr. Philips | Mr. John M. Smith |
| r. Bruyn | Mr. C. Lanſingh | Mr. Prevoſt | Mr. Joſhua Smith |
| r. Burt | Mr. J. Lanſingh | Mr. Robins | Mr. Snell |
| r. Clift | Mr. Leſevre | Mr. Schermerhorn | Mr. Swart |
| r. Deitz | Mr. Lott | Mr. Schuneman | Mr. P. Ten Broeck |
| r. De Witt | Mr. Micheau | Mr. Schuyler | Mr. S. Ten Broeck |
| r. Furman | Mr. Moore | Mr. Skidmore | Mr. Van Benthuyſen |
| r. Heermance | Mr. W. Mott | Mr. A. Smith | Mr. Van Renſſelaer |
| r. Hogeboom | Mr. Oſtrom | Mr. H. Smith | Mr. Veeder |
| r. Honeywell | Mr. Purling | Mr. John Smith | Mr. Williamſon 40 |

Mr. Reynolds reported further progreſs, and obtained leave to ſit again.

Then the Houſe adjourned until eleven o'clock to-morrow morning.

SATURDAY, *eleven o'clock, A. M. February 2d*, 1799.

The bill entitled "An act to amend the act entitled "An act ſupplementary to e act entitled "An act to improve the navigation of Hudſon's river in the places erein mentioned," the bill entitled "An act to aſcertain the ſize of apple barrels thin this ſtate," and the bill entitled "An act for the relief of William Cockburn," ere ſeverally read the ſecond time and committed to a committee of the whole ouſe.

A petition of Chriſtian Hardwicke, praying a grant of bounty lands for military rvices, was read and referred to Mr. Blake, Mr. E. Gilbert and Mr. Schermerhorn.

The Houſe proceeded to the conſideration of the report of the committee on the tition of Jaſper Ward and others, and the remonſtrance of Philip Rhinelander d others, which report is entered on the journal of this Houſe of the 25th Janua- laſt, and the ſaid report having been read and conſidered, thereupon,

*Reſolved*, That this Houſe do agree with the committee in their ſaid report.

Purſuant to leave given by concurrent reſolutions of the Senate and Aſſembly the laſt ſeſſion of the Legiſlature, Mr. Henry brought in a bill entitled "An act r the relief of Caleb Brown and others," which was read the firſt time and ordered ſecond reading.

Mr. Reynolds purſuant to notice by him for that purpoſe heretofore given, moved r, and obtained leave to bring in a bill entitled "An act to repeal the act entitled An act for the encouragement of Schools," which was read the firſt time and or- ed a ſecond reading.

A meſſage from the Hon. the Senate, delivered by Mr. Ruſſell and Mr. Sanders, with the bill therein mentioned, was read, that the Senate have paſſed the bill entitled "An act for the relief of Mary Brannon," to which they requeſt the concurrence of this Houſe.

The ſaid bill was read the firſt time and ordered a ſecond reading.

A copy of a reſolution of the Hon. the Senate, alſo delivered by Mr. Ruſſell and Mr. Sanders, was read, and is in the words following, viz.

Whereas the great and alarming injury which has reſulted to the city of New-York in particular and this ſtate in general, from the prevalence of a peſtilential diſeaſe, renders it incumbent on the legiſlature to interpoſe every mean in their power to guard againſt a return of this calamity: Therefore,

*Reſolved*, (if the Hon. the Aſſembly concur herein) that a joint committee of both Houſes be appointed to conſider and report to the Legiſlature the means proper and neceſſary to be adopted for the prevention of peſtilential diſeaſes in this ſtate, and in caſe of ſuch concurrence that Mr. Clinton, Mr. Gold, Mr. Van Vechten and Mr. Tillotſon be of the ſaid committee on the part of the Senate.

*Reſolved*, That this Houſe do concur with the Hon. the Senate in their preceding reſolution, and that Mr. Burr, Mr. Comſtock, Mr. Bill, Mr. Dodge, Mr. Henry, Mr. Adams and Mr. Reynolds be of the ſaid committee on the part of this Houſe.

*Ordered*, That Mr. Hogeboom and Mr. Honeywell deliver a copy of the ſaid preceding reſolution to the Hon. the Senate.

A meſſage from the Hon. the Council of Reviſion, tranſmitted to this Houſe by the Hon. the Senate, was read, that it does not appear improper to the Council that the bill entitled "An act further to alter the charter of the city of Albany, and for other purpoſes," the bill entitled "An act relative to Ram Iſland in Suffolk county," and the bill entitled "An act to provide more effectually for the ſettlement of accounts between this ſtate and individuals, and the recovery of debts due to this ſtate," ſhould ſeverally become laws of this ſtate."

A copy of a reſolution of the Hon. the Senate, delivered by Mr. Sanders and Mr. Sands, was read, that the Senate do not concur with this Houſe in their reſolution and recitals thereto, as entered on the journal of yeſterday, relative to appointing a joint committee of both Houſes to take into conſideration the ſubject matter of the petitions reſpecting impriſoned debtors, and to report thereon by bill or otherwiſe.

A copy of a reſolution of the Hon. the Senate, alſo delivered by Mr. Sanders and Mr. Sands, was read, and is in the words following, viz.

*Reſolved*, (if the Hon. the Aſſembly concur herein) that a joint committee of both Houſes be appointed to take into conſideration the petitions preſented to this Legiſlature upon the ſubject of impriſoned debtors, and report their opinion thereon by bill or otherwiſe; and in caſe of ſuch concurrence, that Mr. Jones, Mr. Tillotſon and Mr. Van Vechten be of the ſaid committee on the part of the Senate.

*Reſolved*, That this Houſe do concur with the Hon. the Senate in their ſaid reſolution, and that Mr. Burr, Mr. Tabor, Mr. Lefevre, Mr. Comſtock and Mr. Hall be of the ſaid committee on the part of this Houſe.

*Ordered*, That Mr. Hopkins and Mr. Johnſon deliver a copy of the ſaid reſolution of concurrence to the Hon. the Senate.

Mr. M'Intyre from the committee of the whole Houſe on the bill entitled "An act to encourage and improve the manufacture, and to provide for and regulate the inſpection of ſoal leather, likewiſe to guard againſt the gaſhing and cutting of hides and ſkins," reported progreſs and obtained leave to ſit again.

A copy of a reſolution of the truſtees of the Albany Library was read, and is in the words following, viz.

*Reſolved*, That his Excellency the Governor, the members of the Council of Reviſion and of the Senate and Aſſembly, be allowed, during the preſent ſeſſion, the uſe of the books of the Albany Library, on their conforming to the bye laws, and that the Librarian deliver a copy of this reſolution to the Governor's ſecretary, the clerks of the Council of Reviſion and of the Houſes of Senate and Aſſembly, and a catalogue with each copy.

*A copy from the minutes,*

BENJ. V. CLENCH, Librarian.

Then the Houſe adjourned until eleven o'clock on Monday morning next.

MONDAY, *eleven o'clock, A. M. February 4th*, 1799.

The bill entitled "An act for the relief of Mary Brannon," the bill entitled "An act for the relief of Caleb Brown and others," and the bill entitled "An act to repeal the act entitled "An act for the encouragement of schools," were severally read the second time and committed to a committee of the whole House.

A petition of James Caldwell, of the town of Water-Vliet, was read and referred to Mr. Shurtleff, Mr. Boyd and Mr. P. Ten Broeck.

A petition of William De Groot and others, in behalf of the children of Garret De Groot, late of the county of Richmond, deceased, praying that a law may be passed directing the sale of the real estate whereof the said Garret De Groot was seized at the time of his death, for the benefit of his children, was read and referred to Mr. Comstock, Mr. Lefevre and Mr. Peck.

A petition of Frederick Weissenfels, praying a grant of bounty lands for military services, was read and referred to Mr. Fairlie, Mr. Clift, Mr. Pauling, Mr. Shurtleff and Mr. Hopkins.

A petition of David Cook, of the county of Chenango, relative to a lot of land in New-Petersburgh, was read and referred to Mr. German, Mr. Waren and Mr. Landon.

Mr. Robins from the committee to whom was referred the petition of the stockholders of the New-York insurance company, reported, that the facts stated in the said petition are true, and in the opinion of the committee it is just and reasonable that the prayer thereof should be granted; that the committee have prepared a bill for such purpose, and had directed him to move for leave to bring in the same. Leave being given, Mr. Robins brought in the said bill entitled "An act to amend the act entitled "An act to incorporate the stockholders of the New-York insurance company," which was read the first time and ordered a second reading.

Mr. Speaker laid before the House a report of the Inspectors of the State Prison, which was read and is in the words following, viz.

*To the Representatives of the People of the State of New-York, in Senate and Assembly convened. The Inspectors of the State-Prison respectfully*

REPORT,

THAT in the course of the year past, the institution under their care has been improved, the interest of the State advanced, and the sobriety, order and good conduct of the prisoners much promoted. The general economy and internal government of the establishment has produced regularity throughout its whole concerns; but new improvements are yet wanting, which experience will teach how to adopt, in order that the whole may be rendered more extensively useful.

The late general sickness in the city, and the winter setting in at a very early period, has prevented suitable arrangements being made for having the whole of the prisoners at work. The Inspectors have only been able to establish the manufactory of shoes, and in this they have succeeded fully equal to their expectations. Sixty-two of the convicts are employed in the various branches of this business, and out of that number, only two good, and five indifferent workmen previously worked at the trade; a few were first instructed, who afterwards sewed to learn others, till they increased to the present number: and it is with much pleasure the Inspectors have it in their power to inform the Legislature, that the great encouragement they have experienced in establishing the shoe manufactory, may very much be attributed to the good conduct, ability and excellent management of one of the prisoners, who has uniformly shewn an uncommon zeal in instructing others, and in promoting by example strict order, industry and obedience to the laws of the prison.

The clothes for the prisoners have this year been all made in the house; and the women prisoners have been employed at sewing, washing, ironing, &c. &c.

The work-shops in the prison-yards being now erected, and the appropriation made last session of the Legislature being supposed sufficient to finish the building, it is hoped in the spring, the prisoners will be mostly employed in shoe and nail making, &c. &c.

In order to carry into effect the humane designs of the Legislature, the prisoners have been treated with humanity, in supplying them with wholesome provisions,

cloathing, &c. &c. At the ſame time, rules have been eſtabliſhed to promote cleanlineſs, regularity, induſtry and ſobriety; and ſpecial care is taken to puniſh with promptitude (by confinement in a ſolitary cell, and fed on bread and water only) any who violate thoſe rules; this treatment ſoon produces contrition.

The rules alluded to, are generally to forbid ſwearing, idle ſtories, gaming, quarrelling, diſreſpect to the keepers, idleneſs in thoſe who are ſet to any kind of work, or want of cleanlineſs, &c. &c. Great attention is paid to promote habits of cleanlineſs, as the Inſpectors are clearly impreſſed with the opinion, that there is no one thing in the whole economy of a gaol of more importance, for on it greatly depends the health of the priſoners, and without a ſtrict obſervance of it, good habits cannot well be formed, as they regard either induſtry or morals. All the floors of the priſon are therefore waſhed weekly, and ſwept daily; their meals are ſerved on tables, giving each man an earthen plate and ſpoon; a clean ſhirt is handed to each convict once, and they are ſhaved regularly twice each week. The diet ſerved to the convicts is, for breakfaſt, cocoa ſhells boiled, and ſweetened with molaſſes, and rye bread; dinner, ox-head ſoup, and the meat attached to the head, with potatoes and rye bread, ſometimes ſalt meat and peas; ſupper, muſh and molaſſes. The coſt of breakfaſt, dinner and ſupper, is from 5 to 6 cents per man per day.

A hoſpital has been eſtabliſhed, and a phyſician appointed, whoſe duty it is to attend twice every week, and an aſſiſtant reſides in the priſon, who compounds and adminiſters the medicines under the direction of the phyſician. This arrangement coſts two hundred dollars per annum to the phyſician, (excluſive of medicines) and the board of the aſſiſtant, and has been of great utility, as a large proportion of the convicts come into the priſon in a diſeaſed ſituation.

It being generally from ignorance and corrupt manners that crimes proceed, a mitigation of puniſhment ought to be accompanied by a diffuſion of knowledge, which as it contributes to enlighten, alſo tends to meliorate and improve the human mind; under theſe impreſſions, the Inſpectors have ſupplied each priſon room with a bible and ſchool books, by which means many that were quite ignorant on their coming into the priſon, are now able to read the ſcriptures; and they alſo propoſe for them to inſtruct each other in evenings at writing and arithmetic; ſuch indulgence however will depend on their own good behaviour.

The preſent ſtate of the priſon promiſes fair to afford thoſe unhappy delinquents an opportunity of breaking the link of connection with their former aſſociates in miſchief; and there is good reaſon to hope, that after a courſe of labour, ſobriety and religious and moral inſtruction, joined to the ſtricteſt diſcipline, rigidly and accurately executed, habits of cleanlineſs, induſtry and ſobriety may be formed, whereby they will be enabled to ſupport themſelves by an honeſt labour, when they are again permitted to mix with ſociety.

By this means, the number of crimes will, in all probability be leſſened; but a further improvement in our penal ſyſtem is ſtill wanting, in order to render it more complete; at preſent, the ſituation of priſoners in the county priſon, is ſuch as to tend to harden them in villainy, they are there kept together, allowed to hold a free communication with their connections, no regard paid to cleanlineſs, as little to their converſation, and often indulged with ſtrong liquors; under ſuch circumſtances, they are fair candidates for the State Priſon.

After ſome further trial of the ſyſtem already eſtabliſhed, the Inſpectors truſt, the Legiſlature may ſee it right to enact laws, whereby the county gaol may partake of the ſame regulations as the State-Priſon.

The Inſpectors mentioned in their laſt report, that 2780, 47-100 dollars had been expended in the repairs of the Bridewell; but on finally ſettling that account, they found the amount of the whole expence to be 3816, 25-100 dollars, which exceeds the appropriation for that purpoſe made in the act entitled "An act for the payment of certain officers of government," in 1797. This accoun thas been ſettled by the Inſpectors with the Comptroller; and he has given a certificate, that 316, 25-100 dollars remains due to the Inſpectors, which they requeſt the Legiſlature may pleaſe to direct to be repaid them.

The account for maintaining the priſoners in Bridewell, has alſo been ſettled with the Comptroller, and a balance due to the State of 1998, 98-100 dollars, has been paid the Treaſurer.

s ſoon as the State Priſon was ready to receive priſoners, the Inſpectors applied and received 2500 dollars, agreeably to the act for erecting State-Priſons; from period to the paſſing of the act entitled "An act to amend the act making alterns in the criminal law of this State, &c. ſay the 30th day of third month laſt, the of 6222, 30-100 dollars has been expended, by which a balance remains due Inſpectors of 3722, 30-100 dollars, who now requeſt the Legiſlature may be ſed alſo to direct this ſum to be repaid them.

Since the paſſing the law of the laſt ſeſſion, making an appropriation of 10,000 lars for cloathing, maintaining and ſupport of priſoners; and 2000 dollars for chaſing raw materials, there has been expended on the firſt mentioned account he 1ſt inſtant, 8132, 18-100 dollars; and for purchaſing raw materials, &c. the of 2000 dollars.

From the nature and deſign of the eſtabliſhment, it will be eſſentially neceſſary employ a conſiderable ſum as a capital ſtock, in order to carry on the different nches of buſineſs to the greateſt advantage; and the Inſpectors, from the exience they have had, are clearly of opinion, that this being granted, there will no occaſion to trouble the Legiſlature for any further monies for the ſupport of priſon.

The priſoners by their labour, will then in all probability, be able to maintain ſupport themſelves, and in a few years may pay all the ſalaries of the keeper, ſtants, &c. &c.

The Inſpectors conceive ſome alterations are neceſſary in the preſent mode of ing the keeper's and aſſiſtant's ſalaries; and as further information relating to the ſon may be required, they have appointed two of their Board to wait on the giſlature, who will make, to a committe that may be appointed, ſuch further mmunications relative to the general concerns of the new eſtabliſhment, as may requiſite.

The Inſpectors beg leave to ſtate, that inſtances have occurred, of priſoners ng ſentenced to the State Priſon for one year, who have been convicted of petit ceny before three Juſtices, without a Jury; and conceiving ſuch convictions to contrary to law, conſulted the Attorney-General on the ſubject, who gave it as opinion, that the proceedings were illegal; they therefore directed the keeper refuſe receiving the ſaid priſoners. The Inſpectors ſuggeſt the propriety of an planatory law, to prevent ſuch practices in future.

During the year paſt, the duties of the Inſpectors have been extremely difficult arduous, owing in a great meaſure to the unfiniſhed ſtate of the priſon, which courſe rendered an uncommon vigilance requiſite, in order to prevent the eſcape ny of the priſoners, notwithſtanding which, three have effected their eſcape, one whom was confined for forgery, and who in conſequence of indiſpoſition had e indulgence granted; the other two for ſmall crimes, and were employed as ants about the houſe; but as the priſon walls are now completed, it is preſumed more elopements will take place.

The Inſpectors are not authoriſed by law, to offer a reward for apprehending a oner who may eſcape from priſon, they however thought it right to advertiſe a ard for the one that eſcaped who was under ſentence for life.

Annexed is the annual account of Priſoners, and the crimes for which they are enced, &c. &c.

The inſpectors are of opinion, that the convictions for petit larceny are much reaſed by the number of petty taverns and grog ſhops throughout the State, but icularly in the city of New-York; and it is much to be lamented that horſe ng, cock fighting, and houſes of ill fame are not more effectually ſuppreſſed, as only ſerve to encourage idleneſs, gaming, drunkenneſs and many other vices, engender ſmall crimes, which lead to greater ones; indeed it may with great be ſaid, that from theſe ſources, crimes of almoſt every denomination have origin; and the Inſpectors beg leave reſpectfully to obſerve, that in their opi-, the beſt means to prevent atrocious crimes, is to remove the cauſes which rate and produce ſmall ones, otherways we direct the vengeance of the laws nſt effects which might have been prevented by obviating their cauſes.

ISAAC STOUTENBERGH, JOHN MURRAY, jun.
ROBERT BOWNE, JOTHAM POST,
THOMAS EDDY, GEORGE WARNER,
THOMAS FRANKLIN.

*ew-York, 1ſt Month 15th, 1799.*

# ANNUAL ACCOUNT OF PRISONERS IN THE STATE-PRISON,

From the 12th Month 31ſt, 1797,
To the 12th Month 31ſt, 1798.

| | | |
|---|---|---|
| Remaining in priſon 12th Month 31ſt, 1797 | | 116 |
| Received from the 12th Month 31ſt, 1797, to the 12th Month 31ſt, 1798 | | 144 |
| | | 260 |
| Diſcharged by pardon | 2 | |
| Expiration of Sentences | 33 | |
| Deaths | 8 | |
| Eſcaped | 3 | |
| | 48 | |

Remaining in the priſon 12th Month 31ſt, 1798 — 212 Priſoners.

| | CRIMES. | Americans. Whites Men | Whites Women | Blacks Men | Blacks Women | New-Hampſhire | Maſſachuſetts | Rhode-Iſland | Connecticut | New-York | New-Jerſey | Pennſylvania | Maryland | Virginia | North-Carolina | Georgia | Total Number of Americans 118 | Foreigners. England | Ireland | Scotland | France | Germany | Canada | Nova-Scotia | Weſt-Indies | Africa | Total Number of Foreigners 94 | Counties Convicted in. New-York | King's | Weſtchester | Dutcheſs | Columbia | Albany | Renſſelaer | Waſhington | Clinton | Orange | Ulſter | Delaware | Herkimer | Otſego | Montgomery | Oneida |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 2 | for Arſon | 2 | | | | | | | | 2 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 27 | Forging and paſſing Counterfeit Money | 26 | | 1 | | | 4 | | 5 | 7 | 3 | 1 | | | 1 | | | 3 | 2 | | | 1 | | | | | 16 | | | 1 | 2 | 1 | | 5 | | | | | | 1 | | |
| 13 | Burglary | 10 | | 2 | 1 | 1 | | | | 6 | 1 | | | | | | | 1 | 3 | | 1 | | | | | | 3 | | | 3 | 2 | 4 | 1 | | | | | | | 1 | | |
| 1 | Highway Robbery | 1 | | | | | | | | | | | | | | | | | 1 | | | | | | | | 1 | | | | | | | | | | | | | | | |
| 1 | Manſlaughter | | | 1 | | | | | | 1 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1 | Sacrilege | 1 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | 1 | | | | | | | | | | | |
| 87 | Grand Larceny | 69 | 5 | 10 | 3 | 2 | 7 | 2 | 7 | 20 | 3 | 2 | | 1 | | 1 | | 3 | 23 | 1 | 2 | 3 | | 1 | 6 | 3 | | 57 | 1 | 2 | 4 | 1 | 7 | 3 | 4 | 1 | 2 | 1 | | 1 | 1 | 1 | 1 |
| 65 | Petit Larceny | 29 | 6 | 25 | 5 | | 5 | | 2 | 10 | 4 | 7 | 1 | 3 | | | | 4 | 10 | 2 | 2 | 2 | 1 | 2 | 8 | 2 | | 59 | 1 | | 2 | 2 | 1 | | | | | | | | | |
| 15 | Aſſault and Battery | 14 | | 1 | | | | | 3 | 4 | | 2 | | | | | | 2 | 1 | 1 | 1 | 1 | | | | | | 13 | | | | | 1 | | | | | | | | 1 | | |
| 212 | Total | 152 | 11 | 40 | 9 | 3 | 16 | 2 | 17 | 50 | 11 | 12 | 1 | 4 | 1 | 1 | | 13 | 41 | 4 | 6 | 7 | 1 | 3 | 14 | 5 | | 150 | 2 | 2 | 10 | 8 | 16 | 4 | 9 | 1 | 2 | 1 | 1 | 1 | 1 | 3 | 1 |

| | | | |
|---|---|---|---|
| 41 | for Life | 11 | for Two years |
| 4 | Fourteen years | 1 | Twenty months |
| 4 | Ten do. | 30 | Eighteen do. |
| 11 | Seven do. | 4 | Fifteen do. |
| 7 | Five do. | 47 | Twelve do. |
| 28 | Four do. | 1 | Nine do. |
| 23 | Three do. | | |

*Ordered*, That three hundred copies of the ſaid report be forthwith printed for the uſe of this Houſe.

A copy of a reſolution of the Hon. the Senate, delivered by Mr. Sands and Mr. Sanger, was read, and is in the words following, viz.

*Reſolved*, (if the Hon. the Aſſembly concur herein) that a joint committee of the Senate and Aſſembly be appointed to conſider and report by bill or otherwiſe, upon the repreſentation of the Inſpectors of the State-Priſon, in the city of New-York, to the Legiſlature, and in caſe of ſuch concurrence, that Mr. Gold, Mr. L'Hommedieu and Mr. T. Morris be of the ſaid committee on the part of the Senate.

*Reſolved*, That this Houſe do concur with the Hon. the Senate in their ſaid reſolution, and that Mr. Hunt, Mr. De Witt, Mr. Snell, Mr. Crocker and Mr. Skidmore be of the ſaid committee on the part of this Houſe.

*Ordered*, That Mr. Johnſon and Mr. Kane deliver a copy of the preceding reſolution of concurrence to the Hon. the Senate.

A meſſage from the Hon. the Senate, alſo delivered by Mr. Sands and Mr. Sanger, with the bill therein mentioned, was read, that the Senate have paſſed the bill entitled "An act for the relief of Jabez Johnſon," with the amendments therewith delivered.

*Ordered*, That the conſideration of the ſaid amendments be poſtponed.

A meſſage from the Hon. the Senate, alſo delivered by Mr. Sands and Mr. Sanger, with the bill therein mentioned, was read, that the Senate have paſſed the bill entitled "An act concerning wolves and panthers," to which they requeſt the concurrence of this Houſe. The ſaid bill was read the firſt time and ordered a ſecond reading.

Mr. M'Neil from the committee of the whole Houſe on the bill entitled "An act relative to the clerk's office in the ſeveral counties of this ſtate," reported, that in proceeding in the ſaid bill, and after the ſame had been read through in the committee, the ſecond enacting clauſe thereof was again read, and is in the words following, viz.

"Be it further enacted, That from and after the paſſing of this act it ſhall be lawful for the reſpective clerks of the ſeveral counties within this ſtate to exact and receive the ſum of for every mortgage which he or they ſhall thereafter regiſter, and the ſum of for cancelling or entering the diſcharge of every mortgage, in lieu of the compenſation heretofore allowed by law."

That Mr. Root made a motion that the committee ſhould agree to expunge the ſaid clauſe. That debates were had, and the queſtion having been put thereon it was carried in the affirmative. That the yeas and nays were called for by Mr. Hopkins, ſeconded by Mr. Peck, and were as follows, viz.

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Mr. Adams | Mr. Crocker | Mr. Hunt | Mr. Schuneman |
| Mr. Adgate | Mr. Cummings | Mr. Johnſon | Mr. Skidmore |
| Mr. Adriance | Mr. Deitz | Mr. Landon | Mr. A. Smith |
| Mr. Arcularius | Mr. De Witt | Mr. C. Lanſingh | Mr. John Smith |
| Mr. Baldwin | Mr. Doty | Mr. Lefevre | Mr. Joſhua Smith |
| Mr. Blake | Mr. Fort | Mr. Lott | Mr. Snell |
| Mr. Boyd | Mr. French | Mr. Micheau | Mr. Storm |
| Mr. Bruyn | Mr. Furman | Mr. Moore | Mr. Swart |
| Mr. Burling | Mr. German | Mr. Oſtrom | Mr. Tabor |
| Mr. Burr | Mr. E. Gilbert | Mr. Paine | Mr. Thomas |
| Mr. Burt | Mr. Gray | Mr. Pauling | Mr. Voorhis |
| Mr. Carpenter | Mr. Hall | Mr. Peck | Mr. Waren |
| Mr. Clark | Mr. Henry | Mr. Philips | Mr. Weſtcott |
| Mr. Coe | Mr. Hoag | Mr. Reynolds | Mr. Williamſon 59 |
| Mr. Corl | Mr. Hogeboom | Mr. Root | |

*For the Negative.*

| | | | |
|---|---|---|---|
| Mr. Hopkins | Mr. J. M'Kinſtry | Mr. Schuyler | Mr. Swartwout |
| Mr. Kane | Mr. E. Mott | Mr. H. Smith | Mr. Teed |
| Mr. King | Mr. Prevoſt | Mr. John M. Smith | Mr. P. Ten Broeck |
| Mr. J. Lanſingh | Mr. Robins | Mr. Philip Smith | Mr. S. Ten Broeck |
| Mr. Lee | Mr. Savage | Mr. Speaker | Mr. Van Renſelaer 21 |
| Mr. M'Intyre | | | |

That the committee had gone through the bill, made amendments, added clauſes, filled up the blanks, added to the title, and agreed to the ſame; that the altered title is "An act relative to the clerk's office in the ſeveral counties of this ſtate and the examiners and clerks of the court of chancery," which he was directed to report to the Houſe, and he read the report in his place and delivered the bill, amendments and clauſes in at the table where they were again read and agreed to by the Houſe.

*Ordered*, That the bill be engroſſed.

Mr. Storm purſuant to notice by him for that purpoſe heretofore given, moved for and obtained leave to bring in a bill entitled "An act for the inſpection of flour and meal," which was read the firſt time and ordered a ſecond reading.

Then the Houſe adjourned until eleven o'clock to-morrow morning.

TUESDAY, *eleven o'clock, A. M. February 5th*, 1799.

The bill entitled "An act concerning wolves and panthers," the bill entitled "An act for the inſpection of flour and meal," and the bill entitled "An act to repeal the third ſection of the act entitled "An act to incorporate the ſtockholders of the New-York Inſurance Company," were ſeverally read the ſecond time and committed to a committee of the whole Houſe.

A Meſſage from his Excellency the Governor, delivered by his private ſecretary, was read, and is in the words following, viz.

GENTLEMEN,

I herewith lay before you a memorial from the Mayor, Aldermen and Commonalty of the city of New-York, with a letter from the Mayor on the ſubject of it. The conduct of the corporation, in relation to public and general objects, has in many inſtances been liberal, and it appears to me that both juſtice and policy recommend this memorial to attention.

JOHN JAY.

*Albany, 5th February*, 1799.

The memorial and letter mentioned in the ſaid meſſage were alſo read.

*Ordered*, That the ſaid meſſage of his Excellency the Governor together with the papers accompanying the ſame, be committed to a committee of the whole Houſe.

The Houſe proceeded to the conſideration of the amendments of the Hon. the Senate to the bill entitled "An act for the relief of Jabez Johnſon;" the bill and amendments were read and conſidered: Thereupon,

*Ordered*, That the further conſideration of the ſaid amendments be poſtponed until Friday next.

A Meſſage from the Hon. the Senate, delivered by Mr. Savage and Mr. Sanger, with the bill and amendments therein mentioned, were read, that the Senate have paſſed the bill entitled "An act to continue the Treaſurer of this State in office," with the amendments therewith delivered.

The bill and the amendments were read, and the amendments were read a ſecond time and conſidered: Thereupon,

*Reſolved*, That this Houſe do not concur with the Hon. the Senate in their ſaid amendments.

*Ordered*, That Mr. Kane and Mr. King deliver the bill, amendments, and a copy of the preceding reſolution to the Hon. the Senate.

Mr. Hopkins from the committee appointed to conſider and report, whether any, and if any, what proviſion ought to be made by law for regulating marriages within this ſtate, reported, that they have taken into conſideration the ſubject matter referred to them, and are of opinion that proviſion ought to be made by law for perpetuating the record of all marriages made or entered into between the parties thereto in this ſtate, ſo far as the right of inheritance of lawful iſſue of ſuch marriages may more eaſily be proved; and that polygamy may more eaſily be detected, in caſe any perſons ſo married are guilty of that offence; that the committee have prepared a bill for ſuch purpoſe, and have directed him to move for leave to bring in the ſame. Leave being given, Mr. Hopkins brought in the ſaid bill entitled "An act to regulate marriages," which was read the firſt time and ordered a ſecond reading.

Mr. Bruyn from the committee to whom was referred the petition of Thomas Hartwell, reported, that they have examined the papers accompanying the ſaid

petition and find his vouchers insufficient to substantiate his claim, as it does not appear that he ever rejoined the regiment or obtained his discharge. The committee are therefore of opinion, that the prayer of the said petition cannot be granted, and that the petitioner have leave to withdraw the same.

*Resolved*, That this House do agree with the committee in their said report.

*Ordered*, That the said petitioner have leave to withdraw his petition.

Mr. Savage from the committee to whom was referred the petition of Alexander M'Nish, in behalf of himself and others, reported, that it appears to the committee that in May, in the year 1782, in pursuance of the act entitled "An act for raising troops to compleat the line of this state, and the two regiments to be raised on bounties of unappropriated lands, and for the further defence of this state," the said Alexander M'Nish and others that were classed with him, hired one Isaac Pannell, an able bodied man, and sent him (with James Stuart, then an ensign in the militia) to Fort-Edward, the place appointed by the Governor for that purpose, to join the troops then in service; that said Stuart went with the recruits under his care, for Fort Edward, and waited there ten days to have them mustered according to law, but the muster-master not arriving in that time, he delivered the said recruits to Captain Chipman, the commanding officer of the garrison at that place; that said Pannell continued in the service till the fall of the same year, when he, with the rest of the garrison, were taken prisoners by the enemy. But for want of the muster-master's certificate, the said class have not obtained the bounty lands agreeable to said act. The committee are therefore of opinion, that relief ought to be granted to the said class, and that leave should be given to bring in a clause to be added to the bill now before the House, entitled "An act for the relief of William Cockburn."

*Ordered*, That leave be given accordingly, and that the same committee do prepare and bring in such clause.

Mr. Johnson made a motion that the House should proceed to take into consideration the petition of sundry inhabitants of Dutchess and Westchester counties, relative to the erection of a new county, which at the last session of the Legislature was postponed to the present: Thereupon,

*Ordered*, That the consideration thereof be postponed until to-morrow.

Mr. M'Intyre from the committee of the whole House on the bill entitled "An act to encourage and improve the manufacture, and to provide for and regulate the inspection of soal leather, likewise to guard against the gashing and cutting of hides and skins," reported, that in proceeding in the said bill, Mr. Root made a motion that the committee should agree to expunge the following clause from the bill, to wit. "And be it further enacted, That it shall be the duty of the inspectors of the State-Prison, and they are hereby required not to purchase any leather for the consumption of that institution, except such as is of the tannage and manufacture of this state;" that debates were had, and the question being put thereon it was carried in the affirmative. That the yeas and nays were called for by Mr. Arcularius, seconded by Mr. French, and were as follows, viz.

*For the Affirmative.*

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|---|---|---|---|
| Mr. Adams | Mr. Dodge | Mr. Lefevre | Mr. John Smith |
| Mr. Adriance | Mr. Fort | Mr. M'Neil | Mr. John M. Smith |
| Mr. Baldwin | Mr. French | Mr. Michean | Mr. Joshua Smith |
| Mr. Barker | Mr. E. Gilbert | Mr. E. Mott | Mr. Philip Smith |
| Mr. Blake | Mr. Gray | Mr. Ostrom | Mr. Snell |
| Mr. Bruyn | Mr. Henry | Mr. Paine | Mr. Speaker |
| Mr. Burling | Mr. Hoag | Mr. Pauling | Mr. Teed |
| Mr. Butler | Mr. Hogeboom | Mr. Peck | Mr. S. Ten Broeck |
| Mr. Campbell | Mr. Honeywell | Mr. Philips | Mr. Thomas |
| Mr. Comstock | Mr. Hopkins | Mr. Root | Mr. Van Benthuysen |
| Mr. Corl | Mr. Kane | Mr. Savage | Mr. Van Rensselaer |
| Mr. Crocker | Mr. King | Mr. Schuyler | Mr. Veeder |
| Mr. Cummings | Mr. C. Lansingh | Mr. A. Smith | Mr. Westcott |
| Mr. Deitz | Mr. J. Lansingh | Mr. H. Smith | Mr. Williamson 58 |
| Mr. De Witt | Mr. Lee | | |

*For the Negative.*

| | | | |
|---|---|---|---|
| Mr. Adgate | Mr. Johnſon | Mr. Schermerhorn | Mr. Storm |
| Mr. Arcularius | Mr. Landon | Mr. Schuneman | Mr. Swartwout |
| Mr. Boyd | Mr. Robins | Mr. Skidmore | Mr. Tabor |
| Mr. German | | | 13 |

Mr. M'Intyre reported further progreſs and obtained leave to ſit again.

Then the Houſe adjourned until ten o'clock to-morrow morning.

WEDNESDAY, *ten o'clock, A. M. February 6th*, 1799.

The bill entitled "An act relative to the clerk's office in the ſeveral counties of this ſtate, and the examiners and clerks of the court of chancery," was read the third time.

*Reſolved*, That the bill do paſs.

*Ordered*, That Mr. King and Mr. Landon deliver the bill to the Hon. the Senate and requeſt their concurrence.

The bill entitled "An act to regulate marriages," was read the ſecond time, and committed to a committee of the whole Houſe.

A petition of Charles Stuart and others, inhabitants reſiding on land in Schoharry county called Scott's patent, ſetting forth that they have ſettled and made improvements on the ſaid lands, and cannot find the real owners thereof; praying that the Legiſlature will paſs a law for the protection of their labor and improvements, was read and referred to the Surveyor-General.

A petition of Jacob Overaker and others, praying that a law may be paſſed authoriſing them to rebuild the bridge acroſs the Hoofick creek, at Scaghticoke, and to be allowed to demand a reaſonable toll for paſſing the ſaid bridge till they ſhall be reimburſed the expenſes attending the rebuilding thereof, was read and referred to the members attending this Houſe from the county of Renſſelaer.

The Houſe proceeded to the conſideration of the petitions relative to erecting a new county from parts of the counties of Dutcheſs and Weſtcheſter, and a remonſtrance of the ſuperviſors of the county of Weſtcheſter againſt the prayer of the ſaid petitions; and the ſaid petitions and remonſtrance having been read, Thereupon,

*Ordered*, That the ſame be referred to Mr. Burt, Mr. Kane and Mr. Floyd.

A meſſage from the Hon. the Senate, delivered by Mr. J. Schenck and Mr. Silveſter, with the bill therein mentioned, was read, that the Senate do recede from their firſt and third amendments to the bill entitled "An act to continue the Treaſurer of this ſtate in office," not concurred in by this Houſe, and do adhere to their other amendment to the ſaid bill. The bill and the amendment adhered to by the Hon. the Senate were again read and conſidered: Thereupon,

*Reſolved*, That this Houſe do recede from their reſolution of non-concurrence, and do concur in the ſaid amendment.

*Ordered*, That the bill be amended agreeably to the amendment of the Hon. the Senate concurred in by this Houſe.

*Ordered*, That Mr. Landon and Mr. C. Lanſingh deliver the bill to the Hon. the Senate, and inform them that the ſame is amended accordingly.

A copy of a reſolution of the Hon. the Senate, alſo delivered by Mr. J. Schenck and Mr. Silveſter, was read, and is in the words following, viz.

*Reſolved*, (if the Hon. the Aſſembly concur herein) That Jacob Stout have leave to preſent to either Houſe of the Legiſlature, at their next meeting, a bill for a grant of lands under water, adjoining the mouth of ſaw-mill creek, on Hudſon's river, in Philipſburgh, in Weſtcheſter county; to extend from the mouth of the ſaid creek northerly along the ſhore of Hudſon's river three hundred feet, and from low water mark to extend along the extent of the ſaid three hundred feet into the ſaid river one hundred feet: *Provided*, That the ſaid Jacob Stout cauſe a copy of this reſolution to be previouſly publiſhed for ſix weeks ſucceſſively in two of the public newſpapers printed in the city of New-York, to the end that any perſon or perſons who may conceive their intereſt affected thereby may appear at the bar of either Houſe of the Legiſlature, and ſhew cauſe (if any they have) againſt the paſſing of ſuch bill.

*Ordered*, That the conſideration of the ſaid reſolution be poſtponed until to-morrow.

Mr. Thomas made a motion that the Houſe ſhould now proceed to take into onſideration the reſolution moved by him, and entered on the journal of this Houſe n the 26th day of January laſt, whereby it is propoſed to diſpenſe with the attend-nce of the Rev. Mr. O'Brien as one of the chaplains to this Houſe.

Mr. M'Niel moved the previous queſtion.

Mr. Speaker put the queſtion on the ſaid motion of Mr. M'Niel, and it was car-ied in the affirmative. The yeas and nays being called for by Mr. Swartwout, ſe-onded by Mr. Boyd, were as follows, viz.

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Mr. Abeel | Mr. Floyd | Mr. C. Lanſingh | Mr. Skidmore |
| Mr. Adams | Mr. Fort | Mr. Lee | Mr. A. Smith |
| Mr. Adgate | Mr. Furman | Mr. Lefevre | Mr. H. Smith |
| Mr. Barker | Mr. Gates | Mr. C. M'Kinſtry | Mr. Philip Smith |
| Mr. Bill | Mr. German | Mr. J. M'Kinſtry | Mr. Swart |
| Mr. Boyd | Mr. E. Gilbert | Mr. Nexen | Mr. Swartwout |
| Mr. Bruyn | Mr. Gray | Mr. Oſtrom | Mr. Tabor |
| Mr. Burling | Mr. Henry | Mr. Pauling | Mr. Teed |
| Mr. Burr | Mr. Hoag | Mr. Reynolds | Mr. P. Ten Broeck |
| Mr. Campbell | Mr. Hogeboom | Mr. Robins | Mr. Thomas |
| Mr. Carpenter | Mr. Honeywell | Mr. Root | Mr. Van Benthuyſen |
| Mr. Crocker | Mr. Hopkins | Mr. Savage | Mr. Van Renſſelaer |
| Mr. De Witt | Mr. Hunt | Mr. Schuneman | Mr. Veeder |
| Mr. Dodge | Mr. Kane | Mr. Schuyler | Mr. Weſtcott 59 |
| Mr. Doty | Mr. King | Mr. Shurtleff | |

*For the Negative.*

| | | | |
|---|---|---|---|
| Mr. Adriance | Mr. Cummings | Mr. M'Neil | Mr. Prevoſt |
| Mr. Arcularius | Mr. French | Mr. Micheau | Mr. John Smith |
| Mr. Blake | Mr. Hall | Mr. Moore | Mr. John M. Smith |
| Mr. Burt | Mr. Heermance | Mr. E. Mott | Mr. Joſhua Smith |
| Mr. Butler | Mr. Johnſon | Mr. W. Mott | Mr. Snell |
| Mr. Clark | Mr. Landon | Mr. Paine | Mr. Storm |
| Mr. Coe | Mr. J. Lanſingh | Mr. Peck | Mr. S. Ten Broeck |
| Mr. Comſtock | Mr. M'Intyre | Mr. Philips | Mr. Voorhis 38 |
| Mr. Corl | | | |

Mr. Burr then made a motion that the Houſe ſhould agree to amend the ſaid re-ſolution to read as follows, viz.

*Reſolved*, That this Houſe will diſpenſe with the further attendance of the Rev. Mr. O'Brien, the Rev. Mr. Elliſon, the Rev. Mr. Johnſon, the Rev. Mr. Baſſett, he Rev. Mr. Miller, the Rev. Mr. Nott, the Rev. Mr. Braun and the Rev. Mr. Jef-erſon as chaplains to this Houſe, and that the clerk be directed to ſerve each of them with a copy of this reſolution.

Mr. Speaker put the queſtion, whether the Houſe did agree to the motion of Mr. Burr, and it paſſed in the negative. The yeas and nays being called for by Mr. Sa-vage, ſeconded by Mr. Van Renſſelaer, were as follows, viz.

*For the Negative.*

| | | | |
|---|---|---|---|
| Mr. Abeel | Mr. Dodge | Mr. Lee | Mr. Shurtleff |
| Mr. Adgate | Mr. Doty | Mr. Lefevre | Mr. Skidmore |
| Mr. Adriance | Mr. Fort | Mr. M'Intyre | Mr. H. Smith |
| Mr. Barker | Mr. Gates | Mr. C. M'Kinſtry | Mr. Philip Smith |
| Mr. Bill | Mr. E. Gilbert | Mr. M'Neil | Mr. Snell |
| Mr. Blake | Mr. Gray | Mr. Micheau | Mr. Storm |
| Mr. Bruyn | Mr. Heermance | Mr. W. Mott | Mr. Swart |
| Mr. Butler | Mr. Henry | Mr. Pauling | Mr. Teed |
| Mr. Coe | Mr. Johnſon | Mr. Peck | Mr. S. Ten Broeck |
| Mr. Crocker | Mr. Kane | Mr. Savage | Mr. Thomas |
| Mr. Cummings | Mr. C. Lanſingh | Mr. Schuneman | Mr. Van Benthuyſen |
| Mr. Deitz | Mr. J. Lanſingh | Mr. Schuyler | Mr. Voorhis - 49 |
| Mr. De Witt | | | |

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Mr. Adams | Mr. French | Mr. E. Mott | Mr. John Smith |
| Mr. Arcularius | Mr. Furman | Mr. Nexen | Mr. John M. Smith |
| Mr. Boyd | Mr. German | Mr. Oſtrom | Mr. Joſhua Smith |
| Mr. Burling | Mr. Hall | Mr. Paine | Mr. Swartwout |
| Mr. Burr | Mr. Hoag | Mr. Philips | Mr. Tabor |
| Mr. Burt | Mr. Hogeboom | Mr. Prevoſt | Mr. P. Ten Broeck |
| Mr. Campbell | Mr. Honeywell | Mr. Reynolds | Mr. Van Renſſelaer |
| Mr. Carpenter | Mr. Hunt | Mr. Robins | Mr. Veeder |
| Mr. Clark | Mr. Landon | Mr. Root | Mr. Weſtcott |
| Mr. Corl | Mr. J. M'Kinſtry | Mr. Schermerhorn | Mr. Williamſon |
| Mr. Floyd | Mr. Moore | Mr. A. Smith | |

Mr. Speaker put the main queſtion on the ſaid reſolution, and it paſſed in the negative. The yeas and nays being called for by Mr. Abeel, ſeconded by Mr. Schuneman, were as follows, viz.

*For the Negative.*

| | | | |
|---|---|---|---|
| Mr. Adams | Mr. Cummings | Mr. Honeywell | Mr. Robins |
| Mr. Adgate | Mr. Dodge | Mr. Hunt | Mr. Root |
| Mr. Arcularius | Mr. Doty | Mr. M'Intyre | Mr. A. Smith |
| Mr. Barker | Mr. Floyd | Mr. J. M'Kinſtry | Mr. John Smith |
| Mr. Blake | Mr. Fort | Mr. Moore | Mr. Joſhua Smith |
| Mr. Boyd | Mr. French | Mr. E. Mott | Mr. Snell |
| Mr. Bruyn | Mr. Furman | Mr. W. Mott | Mr. Swartwout |
| Mr. Burling | Mr. Gates | Mr. Oſtrom | Mr. P. Ten Broeck |
| Mr. Burr | Mr. German | Mr. Pauling | Mr. S. Ten Broeck |
| Mr. Burt | Mr. E. Gilbert | Mr. Peck | Mr. Van Renſſelaer |
| Mr. Butler | Mr. Hall | Mr. Philips | Mr. Veeder |
| Mr. Campbell | Mr. Heermance | Mr. Prevoſt | Mr. Weſtcott |
| Mr. Carpenter | Mr. Henry | Mr. Reynolds | Mr. Williamſon |
| Mr. Corl | Mr. Hoag | | |

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Mr. Abeel | Mr. Johnſon | Mr. Nexen | Mr. John M. Smith |
| Mr. Adriance | Mr. Kane | Mr. Paine | Mr. Philip Smith |
| Mr. Bill | Mr. Landon | Mr. Savage | Mr. Storm |
| Mr. Coe | Mr. C. Lanſingh | Mr. Schermerhorn | Mr. Swart |
| Mr. Crocker | Mr. Lee | Mr. Schuneman | Mr. Teed |
| Mr. Deitz | Mr. Lefevre | Mr. Shurtleff | Mr. Thomas |
| Mr. De Witt | Mr. C. M'Kinſtry | Mr. Skidmore | Mr. Van Benthuyſen |
| Mr. Gray | Mr. M'Neil | Mr. H. Smith | Mr. Voorhis |
| Mr. Hogeboom | Mr. Micheau | | |

Mr. Voorhis from the committee to whom was referred the petition of Dirck Clute, with the report of the Surveyor-General thereon, reported, that after a due examination of the Surveyor-General's report on the ſame petition, they are of opinion that the lot of land petitioned for is the property of the people of this ſtate; that affidavits have come to the hands of the committee, made by John Potter and Phineas Leach, purporting that they have ſhares reſpectively of the ſame lot of land which they took poſſeſſion of by virtue of agreements entered into with the ſaid petitioner and his ſon. The committee are therefore of opinion, that the prayer of the petitioner ought not to be granted, and that he have leave to withdraw his petition.

*Reſolved*, That this Houſe do agree with the committee in their ſaid report.

*Ordered*, That the petitioner have leave to withdraw his petition.

Then the Houſe adjourned until eleven o'clock to-morrow morning.

THURSDAY, *eleven o'clock, A. M. February 7th*, 1799.

A petition of Thomas Dennis and others, freeholders and inhabitants of the town of Eaſton, in the county of Waſhington, relative to the ſettlement of accounts reſpecting the poor in the towns of Stillwater, Saratoga, and the ſaid town of Eaſton, was read and referred to Mr. Adgate, Mr. C. Lanſingh and Mr. Gray.

A petition of Beriah Holcomb and others, freeholders and inhabitants of the town of Stephentown, in the county of Renſſelaer, relative to certain property given and appropriated by the late Stephen Van Renſſelaer, Eſq. deceaſed, for the encouragement of ſchools in ſaid town, was read and referred to Mr. Van Renſſelaer, Mr. Schermerhorn and Mr. Lee.

A petition of Henry Scott and others, inhabitants of the town of Suffrage, in the unty of Otſego, praying that the name of the ſaid town may be changed to Mil-rd, was read and committed to a committee of the whole Houſe when on the bill titled "An act for dividing the town of Richfield in the county of Otſego into ree towns."

The Houſe proceeded to the conſideration of the reſolution of the Hon. the enate relative to granting leave to Jacob Stout to preſent a bill to either Houſe of e Legiſlature at the next ſeſſion for the purpoſes mentioned in the ſaid reſolution, entered on the journal of this Houſe yeſterday; the ſame having been again ad, thereupon,

*Reſolved*, That this Houſe do not concur with the Hon. the Senate in their ſaid ſolution.

*Ordered*, That Mr. Landon and Mr. C. Lanſingh deliver a copy of the ſaid pre-ding reſolution to the Hon. the Senate.

The Surveyor-General to whom was referred the petition of Jeremiah Van Renſ-laer, reported, That by a treaty executed on the 31ſt May, 1796, by the commiſ-oner for that purpoſe appointed under the authority of the United States, the gents for the ſtate of New-York, the deputies of the tribes of Indians denominat-g themſelves the Seven Nations of Canada, and the purchaſers under Alexander lacomb, it is, among other things, ſtipulated that a tract of one mile ſquare, at the ill built by the ſaid Indians on Graſs river, and the meadows on both ſides of the id Graſs river from the ſaid mill thereon to its confluence with the river St. Law-nce ſhall be reſerved to be applied to the uſe of the Indians of the village of St. egis; which meadows and mill ſo reſerved are included in ſeveral tracts ſome years efore located by and patented to the memorialiſt. The Surveyor-General is well formed that the Indians have cauſed lines to be run for the bounds of the reſerve meadows made to them as aforeſaid, ſo as to include a ſpace of half a mile on an verage on each ſide of ſaid Graſs river from the mill aforeſaid to the river St. Law-nce, ſo that the whole of the tract laid out for the land ſo reſerved to the Indians, nd interfering with the lands granted to the memorialiſt, will be at leaſt ſeven ſquare iles, or upwards of 4480 acres. From the circumſtance that the internal geogra-hy of that country was but little known, and the ſtreams through it having been lled by different names, it ſeems probable that the agents of the ſtate could not ave been appriſed of ſuch interference when the treaty was agreed on.

All which is reſpectfully ſubmitted.

SIMEON DE WITT, Surveyor-General.

*6th February*, 1799.

*Ordered*, That the ſaid report and petition be referred to Mr. J. Lanſingh, Mr. ummings and Mr. Lott.

Two ſeveral meſſages from the Hon. the Senate, delivered by Mr. Silveſter and r. Strong, with the bills therein reſpectively mentioned, were read, that the Senate ve paſſed the bill entitled "An act directing certain bills of credit and certificates longing to this ſtate to be cancelled," and the bill entitled "An act to amend the ws reſpecting the loan-officers and ſupervifors of the ſeveral counties of this ſtate," d requeſting the concurrence of this Houſe to the ſaid bills reſpectively.

The ſaid bills were ſeverally read the firſt time and ordered a ſecond reading.

A meſſage from the Hon. the Senate, alſo delivered by Mr. Silveſter and Mr. Strong, th the bill therein mentioned, was read, that the Senate have paſſed the bill entitled An act for the relief of the reformed proteſtant high and nether Dutch congrega-ns of the towns of Schoharrie and Middleburgh, in the county of Schoharrie," thout amendment.

*Ordered*, That Mr. C. Lanſingh and Mr. J. Lanſingh deliver the bill to the Hon. e Council of Reviſion.

Mr. Oſtrom from the committee of the whole Houſe on the bill entitled "An act explain the law and rectify miſtakes reſpecting the payment and remiſſion of quit nt," reported progreſs and obtained leave to ſit again.

Mr. Reynolds from the committee of the whole Houſe on the bill entitled "An for the gradual abolition of ſlavery within the ſtate of New-York," reported, that proceeding in the ſaid bill, Mr. S. Ten Broeck made a motion that the committee

ſhould agree to reject the ſame; that debates were had, and the queſtion having been put thereon, it paſſed in the negative; that the yeas and nays were called for by Mr. Van Benthuyſen, ſeconded by Mr. French, and were as follows, viz.

*For the Negative.*

| | | | |
|---|---|---|---|
| Mr. Adgate | Mr. Floyd | Mr. King | Mr. Root |
| Mr. Arcularius | Mr. Fort | Mr. Landon | Mr. Savage |
| Mr. Barker | Mr. French | Mr. C. Lanſingh | Mr. Shurtleff |
| Mr. Blake | Mr. Furman | Mr. J. Lanſingh | Mr. A. Smith |
| Mr. Boyd | Mr. Gates | Mr. Lee | Mr. John Smith |
| Mr. Burling | Mr. German | Mr. M'Intyre | Mr. Philip Smith |
| Mr. Burr | Mr. E. Gilbert | Mr. C. M'Kinſtry | Mr. Speaker |
| Mr. Burt | Mr. Gray | Mr. M'Neil | Mr. Storm |
| Mr. Butler | Mr. Hall | Mr. Moore | Mr. Swartwout |
| Mr. Carpenter | Mr. Heermance | Mr. E. Mott | Mr. Tabor |
| Mr. Clark | Mr. Henry | Mr. Nexen | Mr. Teed |
| Mr. Comſtock | Mr. Hoag | Mr. Oſtrom | Mr. Thomas |
| Mr. Corl | Mr. Hopkins | Mr. Paine | Mr. Voorhis |
| Mr. Crocker | Mr. Hunt | Mr. Peck | Mr. Weſtcott |
| Mr. Cummings | Mr. Johnſon | Mr. Prevoſt | Mr. Williamſon |
| Mr. Dodge | Mr. Kane | Mr. Robins | |

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Mr. Abeel | Mr. Hogeboom | Mr. Schermerhorn | Mr. Snell |
| Mr. Adams | Mr. Honeywell | Mr. Schuneman | Mr. Swart |
| Mr. Adriance | Mr. Lefevre | Mr. Schuyler | Mr. P. Ten Broeck |
| Mr. Bruyn | Mr. Michean | Mr. Skidmore | Mr. S. Ten Broeck |
| Mr. Coe | Mr. W. Mott | Mr. H. Smith | Mr. Van Benthuyſen |
| Mr. Deitz | Mr. Pauling | Mr. John M. Smith | Mr. Van Renſſelaer |
| Mr. De Witt | Mr. Philips | Mr. Joſhua Smith | Mr. Veeder |
| Mr. Doty | | | |

That in proceeding to fill up the blanks in the ſaid bill, the firſt enacting clauſe thereof was again read, and is in the words following, viz.

Be it enacted by the people of the ſtate of New-York, repreſented in Senate and Aſſembly, That every child born of a ſlave within this ſtate after the 4th day of July next, ſhall be deemed and adjudged to be born free: Provided nevertheleſs, That ſuch child ſhall be the ſervant of the legal proprietor of his or her mother until ſuch ſervant, if a male, ſhall arrive at the age of years; and if a female, at the age of years.

That Mr. Hogeboom made a motion that the blank in the ſaid clauſe which relates to male children, ſhould be filled up with the word "*thirty;*" that debates were had, and the queſtion having been put thereon, it paſſed in the negative; that the yeas and nays were called for by Mr. Schuneman, ſeconded by Mr. Bruyn, and were as follows, viz.

*For the Negative.*

| | | | |
|---|---|---|---|
| Mr. Adgate | Mr. Cummings | Mr. Kane | Mr. Shurtleff |
| Mr. Arcularius | Mr. Fort | Mr. King | Mr. A. Smith |
| Mr. Barker | Mr. French | Mr. M'Intyre | Mr. H. Smith |
| Mr. Bill | Mr. Furman | Mr. C. M'Kinſtry | Mr. John Smith |
| Mr. Blake | Mr. Gates | Mr. J. M'Kinſtry | Mr. Philip Smith |
| Mr. Boyd | Mr. German | Mr. M'Neil | Mr. Snell |
| Mr. Burling | Mr. E. Gilbert | Mr. E. Mott | Mr. Speaker |
| Mr. Burr | Mr. Gray | Mr. Oſtrom | Mr. Storm |
| Mr. Burt | Mr. Hall | Mr. Paine | Mr. Swartwout |
| Mr. Butler | Mr. Henry | Mr. Peck | Mr. Tabor |
| Mr. Carpenter | Mr. Hoag | Mr. Prevoſt | Mr. Teed |
| Mr. Clark | Mr. Honeywell | Mr. Robins | Mr. Voorhis |
| Mr. Comſtock | Mr. Hopkins | Mr. Root | Mr. Weſtcott |
| Mr. Corl | Mr. Hunt | Mr. Savage | Mr. Williamſon |
| Mr. Crocker | Mr. Johnſon | | |

*For the Affirmative.*

| | | | | |
|---|---|---|---|---|
| Mr. Abeel | Mr. Heermance | Mr. W. Mott | Mr. Joſhua Smith | |
| Mr. Adams | Mr. Hogeboom | Mr. Nexen | Mr. Swart | |
| Mr. Adriance | Mr. Landon | Mr. Pauling | Mr. P. Ten Broeck | |
| Mr. Bruyn | Mr. C. Lanſingh | Mr. Philips | Mr. S. Ten Broeck | |
| Mr. Deitz | Mr. J. Lanſingh | Mr. Schermerhorn | Mr. Thomas | |
| Mr. De Witt | Mr. Lee | Mr. Schuneman | Mr. Van Benthuyſen | |
| Mr. Dodge | Mr. Lefevre | Mr. Schuyler | Mr. Van Renſſelaer | |
| Mr. Doty | Mr. Micheau | Mr. Skidmore | Mr. Veeder | 35 |
| Mr. Floyd | Mr. Moore | Mr. John M. Smith | | |

That Mr. Weſtcott then made a motion that the ſaid blank ſhould be filled with the words "*twenty-eight;*" that the queſtion having been put thereon, it was carried in the affirmative; that the words "*twenty-eight*" were accordingly written in the ſaid blank.

Mr. Reynolds further reported, that the committee had gone through the bill, made amendments, filled up the blanks, agreed to the ſame, and amended the title to read "An act for the gradual abolition of ſlavery," which he was directed to report to the Houſe, and he read the report in his place and delivered the bill and amendments in at the table, where they were again read and agreed to by the Houſe.

*Ordered*, That the bill be engroſſed.

Mr. Shurtleff from the committee of the whole Houſe on the bill entitled "An act to amend the act entitled "An act ſupplementary to the act entitled "An act to improve the navigation of Hudſon's river in the places therein mentioned," reported, that the committee had gone through the bill and agreed to the ſame without amendment, which he was directed to report to the Houſe, and he read the report in his place and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

Mr. Thomas, in behalf of Mr. Kane, from the committee to whom was committed the bill entitled "An act for regulating and governing the militia of the ſtate of New-York," reported, that conceiving that it would not be practicable or expedient to carry at once into complete effect the ſyſtem and improvements reported to this Houſe by the Adjutant-General; The committee have extracted from the ſaid report, and the bill which accompanied it, ſuch parts as to them appeared moſt immediately neceſſary, which they ſubmit to the conſideration of the Houſe by way of amendment to the exiſting laws.

*Ordered*, That the conſideration of the ſaid report be poſtponed until to-morrow.

Mr. M'Intyre from the committee to whom was referred the petition of Alexander Comrie, reported, That by an article of agreement executed by Beriah Palmer as agent and attorney for Iſaac Low, and by the petitioner, dated the 19th day of October, 1778, and laid before the committee, it appears that the petitioner was to have had a conveyance of lot No. 2, of the ſubdiviſion of lot No. 1, of the 21ſt allotment of the patent of Kayaderoſſeras, containing 200 acres of land, made and executed to him by the ſaid Iſaac Low, or if in caſe (the parties ſay) that the lot ſhould be confiſcated, then and in ſuch caſe Mr. Palmer was bound to procure the petitioner a conveyance from the ſtate. In conſequence of which agreement it appears alſo to the committee from the examination of ſeveral affidavits produced to them, that the petitioner took poſſeſſion of and made improvements on the ſame lot of land, which improvements ſome of the affidavits ſtate to be worth 126l. That by a certificate which is alſo in the hands of the committee, ſigned by one of the commiſſioners of forfeitures for the weſtern diſtrict, it appears that in conſequence of the attainder of Iſaac Low, which took place the 22d of October, 1779, and the petitioner having no other title veſted in him of the ſame lot of land, other than the article of agreement made with Mr. Palmer, the lot of land referred to was ſold by the commiſſioners of forfeitures to James Caldwell, at public ſale on the 16th day of September, 1785, for 700l. although the petitioner under his ſaid contract, was to have had it for 12s. 6d. per acre. It alſo appears by the ſame certificate, that the commiſſioner was of opinion that the lot ſold for at leaſt 100l. more on account of the improvements made by the petitioner.

The committee further report, That in the courſe of their examination relative to this buſineſs, they find that the petitioner preferred a petition to the Legiſlature

at their laſt ſeſſion, which was then referred to the Comptroller, who reported, that the petitioner ought to be left to his remedy at law againſt Mr. Palmer, as a covenant in the articles bound Mr. Palmer to procure the petitioner a deed from Mr. Low, or from the ſtate, and that it would be detrimental to the intereſt of the ſtate to anſwer claims of this kind after the day of 1776. The committee however with proper deference beg leave to differ from the Comptroller in this opinion; for admitting that the petitioner has his remedy in law, and could recover of Mr. Palmer, nevertheleſs the committee are of opinion that in ſuch caſe the Legiſlature ought in juſtice to indemnify Mr. Palmer, as it is not to be preſumed that he has ever been benefited by the ſale, having acted merely as agent and attorney for Mr. Low, and having as the committee ſuppoſe, entered into the covenant referred to with full confidence that the ſtate would fulfil his contract with the petitioner in caſe that the ſaid Low ſhould be attainted as aforeſaid.

The committee are therefore of opinion that the petitioner is juſtly entitled to relief, that they have prepared a bill for granting ſuch relief and have directed their chairman to aſk for leave to bring in the ſame.

Leave being given, Mr. M'Intyre brought in the ſaid bill entitled "An act granting relief to Alexander Comrie," which was read the firſt time and ordered a ſecond reading.

Mr. Burr from the committee to whom were referred the petitions of Cornelius Lanſing and others, and the petition of Hezekiah Ketchum and others, reported, That the object of the ſaid petitioners regards the improvement of the navigation of Hudſon's river between the villages of Troy and Lanſingburgh by deepening the channel in the manner which is explained by the documents which accompany this report, and that as a preliminary ſtep the truſtees of the villages of Lanſingburgh and Waterford have obtained from the Preſident, Directors and Company of the Northern Inland Lock Navigation Company a ceſſion of all that part of Hudſon's river which the petitioners do contemplate to improve.

That the mode propoſed for raiſing the money to accompliſh the views of the petitioners, in addition to the ſum of 1500l. appropriated for that purpoſe by an act paſſed 1ſt April, 1796, is by a tax on the freeholders within the villages of Lanſingburgh and Waterford adjacent to the projected improvement, in the manner and in the proportions between the ſaid villages agreed on by their reſpective inhabitants. That as well the end as the means propoſed for carrying the ſame into effect apear to have received the very general approbation of the inhabitants of the ſaid villages.

The committee further report, that they have examined the project in queſtion and the calculations and eſtimates for carrying the ſame into execution, and conferred thereon with ſeveral ſcientific men, who unite in opinion that the mode propoſed is eligible and practicable, and the committee are ſatisfied that the expenſe will not exceed the ſums which the petitioners are willing and able to expend in the enterprize, nor bear any proportion to the value of the end to be accompliſhed.

The committee are therefore of opinion that the views and propoſals of the petitioners are liberal and equitable, that the object in queſtion is of ſufficient public importance to claim the countenance and attention of the Legiſlature, and that the petitioners ſhould have leave to bring in a bill for the purpoſes by them prayed.

Leave being given, Mr. Burr brought in the ſaid bill entitled "An act to improve the navigation of Hudſon's river between the villages of Lanſingburgh and Troy," which was read the firſt time and ordered a ſecond reading.

Then the Houſe adjourned until eleven o'clock to-morrow morning.

FRIDAY, *eleven o'clock, A. M. February 8th*, 1799.

The bill entitled "An act to amend the act entitled "An act ſupplementary to the act entitled "An act for improving the navigation of Hudſon's river in the places therein mentioned," was read the third time.

*Reſolved*, That the bill do paſs.

*Ordered*, That Mr. C. Lanſingh and Mr. J. Lanſingh deliver the bill to the Hon. the Senate and inform them that this Houſe have paſſed the ſame without amendment.

The bill entitled "An act for granting relief to Alexander Comrie," the bill entitled "An act to improve the navigation of Hudson's river between the villages of Lansingburgh and Troy," the bill entitled "An act for directing certain bills of credit and certificates belonging to this state to be cancelled," and the bill entitled "An act to amend the laws respecting loan-officers and supervisors of the several counties in this state," were severally read the second time and committed to a committee of the whole House.

A petition of John Follet, praying a grant of bounty lands for military services, was read and referred to Mr. Fairlie, Mr. Clift, Mr. Pauling, Mr. Shurtleff and Mr. Hopkins.

A petition of John Wells, of the city of New-York, relative to a certain lot of land in Saratoga county, in a patent commonly called Nothampton was read and referred to Mr. Prevoft, Mr. Schuyler and Mr. Michaux.

A petition of the truftees of Fort Hunter Bridge and others, inhabitants of the county of Montgomery, relative to the preservation of faid bridge, was read and referred to Mr. French, Mr. Paine and Mr. Coe.

A remonftrance of Jacob A. Klock and others, inhabitants of Young's Patent in Herkimer county, remonftrating againft the annexing of faid patent to Otfego county, was read and referred to Mr. Butler, Mr. Shurtleff and Mr. J. M'Kinftry.

The Surveyor-General to whom was referred the petition of Sarah M'Ginnis and Rachel Walmfley, reported, that it appears by a certificate figned by a confiderable number of very refpectable inhabitants of Ulfter county, who have been perfonally acquainted with Robert M'Ginnis, the father of the petitioners; that he was a peaceable man, of a quiet, pacific turn of mind; that he never took an active part againft this country during the late war, but was driven from his refidence on the Sufquehannah by the Indians, and his property there deftroyed; that he then removed to Rhinebeck, where he remained till the conclufion of the late war, when being about feventy years of age, he went to the province of Lower Canada where he died; that his property has been confifcated, and what he owned in the city of New-York actually fold. What were the reafons for which a man of fuch an apparently harmlefs character was proferibed would perhaps now be improper, if not impracticable to inveftigate. One of the late commiffioners of forfeitures informs, that the two lots for which the petitioners pray, were located as mentioned in the petition, but have not been fold, and of courfe now remain fubject to the difpofal of the ftate.

All which is refpectfully fubmitted.

SIMEON DE WITT, Surveyor-General.

*6th February*, 1799.

*Ordered*, That the faid report and petition be referred to Mr. Carpenter, Mr. Shurtleff and Mr. Nexen.

*Ordered*, That Mr. Crocker have leave of abfence for four days.

A meffage from the Hon. the Senate, delivered by Mr. Strong and Mr. Tappen, with the bill therein mentioned, was read, that the Senate have paffed the bill entitled "An act for the fale of land to John Denny, an Indian," to which they requeft the concurrence of this Houfe.

The faid bill was read the firft time, and, by unanimous confent, was alfo read a fecond time and committed to a committee of the whole Houfe.

The Houfe proceeded to take into confideration the report of the committee to whom was committed the bill entitled "An act for regulating and governing the militia of the ftate of New-York," as entered on the journal of this Houfe yefterday. The faid report was again read and confidered, and the bill therein mentioned, entitled "An act to amend the act entitled "An act to organize the militia of this ftate," was read and committed to a committee of the whole Houfe.

A meffage from the Hon. the Senate, delivered by Mr. Ten Eyck and Mr. Thompfon, with the bill therein mentioned, was read, that the Senate have paffed the bill entitled "An act to annex a part of the town of New-Paltz, in the county of Ulfter, to the town of Hurley in faid county," without amendment.

*Ordered*, That Mr. Lee and Mr. Lefevre deliver the bill to the Hon. the Council of Revifion.

A meſſage from the Hon. the Council of Reviſion, delivered by the Hon. the Chief Juſtice, was read, that it does not appear improper to the Council that the bill entitled "An act for the relief of the reformed proteſtant high and nether Dutch congregations of the towns of Schoharrie and Middleburgh, in the county of Schoharrie," and the bill entitled "An act to annex a part of the town of New-Paltz, in the county of Ulſter, to the town of Hurley in ſaid county," ſhould reſpectively become laws of this ſtate.

The Hon. the Senate returned, by Mr. Thompſon and Mr. Vail, the bill entitled "An act to continue the Treaſurer of this ſtate in office."

*Ordered*, That Mr. Lee and Mr. Lefevre deliver the bill to the Hon. the Council of Reviſion.

Purſuant to the order of the day the Houſe proceeded to the further conſideration of the amendments of the Hon. the Senate to the bill entitled "An act for the relief of Jabez Johnſon." The bill and the amendments were again read and conſidered. The firſt amendment was concurred in, and the next amendment having been alſo again read, is to inſert a clauſe in the words following, viz.

And be it further enacted, That it ſhall and may be lawful for the Comptroller of this ſtate to draw warrants upon the Treaſurer of this ſtate in favor of Wynant Van Zandt, John Riker, Chriſtopher Heyſham, Cornelius Sebring, John Ramſay, Viner Leycraft, Henry Cruger, William Brown, Solomon Simpſon, Peter Bogert, Jacobus Van Zandt, Jacob Le Roy, Thomas Witter, Caſper Wiſter, Abraham Walton, Peter Berton, Gerard W. Beeckman, Nicholas Governeur, John Alner, Garret Rappelje, Jeremiah Allen, Jacob Van Voorhes, Sharp and Curtenius and Charles M'Evers reſpectively, whoſe cannon were alſo taken as aforeſaid, and have not been paid for, or in favor of the legal repreſentatives of ſuch of them reſpectively as may be deceaſed, for the value of the cannon which were taken from them reſpectively as aforeſaid, and diſpoſed of as aforeſaid, eſtimating the ſame at and after the rate directed in the preceding clauſe of this act.

Mr. Speaker put the queſtion, whether the Houſe did concur with the Hon. the Senate in their ſaid amendment, and it paſſed in the negative. The yeas and nays being called for by Mr. Peck, ſeconded by Mr. Landon, were as follows, viz.

*For the Negative.*

| | | | |
|---|---|---|---|
| Mr. Abeel | Mr. De Witt | Mr. Lefevre | Mr. H. Smith |
| Mr. Adams | Mr. Dodge | Mr. M'Neil | Mr. John Smith |
| Mr. Adgate | Mr. Floyd | Mr. Micheau | Mr. Joſhua Smith |
| Mr. Adriance | Mr. Fort | Mr. E. Mott | Mr. Philip Smith |
| Mr. Arcularius | Mr. German | Mr. Oſtrom | Mr. Snell |
| Mr. Barker | Mr. B. Gilbert | Mr. Paine | Mr. Storm |
| Mr. Blake | Mr. E. Gilbert | Mr. Pauling | Mr. Tabor |
| Mr. Bruyn | Mr. Gray | Mr. Peck | Mr. Teed |
| Mr. Burling | Mr. Hall | Mr. Philips | Mr. P. Ten Broeck |
| Mr. Clark | Mr. Heary | Mr. Reynolds | Mr. S. Ten Broeck |
| Mr. Coe | Mr. Hoag | Mr. Root | Mr. Thomas |
| Mr. Comſtock | Mr. Honeywell | Mr. Savage | Mr. Van Benthuyſen |
| Mr. Corl | Mr. Hopkins | Mr. Schermerhorn | Mr. Veeder |
| Mr. Cummings | Mr. Landon | Mr. A. Smith | Mr. Waren 59 |
| Mr. Deitz | Mr. Lee | | |

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Mr. Bill | Mr. Johnſon | Mr. Moore | Mr. Skidmore |
| Mr. Boyd | Mr. Kane | Mr. W. Mott | Mr. John M. Smith |
| Mr. French | Mr. C. Lanſingh | Mr. Nexen | Mr. Swartwout |
| Mr. Furman | Mr. J. Lanſingh | Mr. Prevoſt | Mr. Van Renſelaer |
| Mr. Heermance | Mr. M'Intyre | Mr. Robins | Mr. Williamſon 9 |
| Mr. Hunt | Mr. C. M'Kinſtry | Mr. Schuyler | |

The other of the ſaid amendments were alſo read and ſeverally not concurred in: Thereupon,

*Reſolved*, That this Houſe do concur with the Hon. the Senate in their firſt amendment, and do not concur in their other amendments to the ſaid bill.

*Ordered*, That Mr. Lefevre and Mr. Lott deliver the bill, amendments, and a copy of the preceding reſolution to the Hon. the Senate.

By unanimous conſent the Houſe reſolved itſelf into a committee of the whole Houſe on the bill entitled "An act for the ſale of lands to John Denny, an Indian," and after ſome time ſpent thereon, Mr. Speaker reſumed the chair, and Mr. Prevoſt, from the ſaid committee, reported, that the committee had gone through the bill without amendment, which he was directed to report to the Houſe, and he read the report in his place, and delivered the bill in at the table, where it was again read and agreed to by the Houſe.

By unanimous conſent the ſaid bill was read the third time.

*Reſolved*, That the bill do paſs.

*Ordered*, That Mr. M'Intyre and Mr. C. M'Kinſtry deliver the bill to the Hon. the Senate, and inform them that this Houſe have paſſed the ſame without amendment.

Mr. Burling from the committee of the whole Houſe on the bill entitled "An act for dividing the town of Richfield, in the county of Otſego, into three towns," reported, that the committee had gone through the bill, added a clauſe, altered the title and agreed to the ſame; that the altered title is "An act for dividing the town of Richfield, in the county of Otſego, into three towns, and to alter the name of the town of Suffrage, in ſaid county," which he was directed to report to the Houſe, and he read the report in his place, and delivered the bill and amendments in at the table, where they were again read and agreed to by the Houſe.

*Ordered*, That the bill be engroſſed.

A meſſage from the Hon. the Council of Reviſion, tranſmitted to this Houſe by the Hon. the Senate, was read, that it does not appear improper to the Council that the bill entitled "An act to amend the act entitled "An act ſupplementary to the act entitled "An act to improve the navigation of Hudſon's river in the places therein mentioned," ſhould become a law of this ſtate.

Then the Houſe adjourned until eleven o'clock to-morrow morning.

SATURDAY, *eleven o'clock, A. M. February 9th*, 1799.

The bill entitled "An act for the gradual abolition of ſlavery," was read the third time.

*Reſolved*, That the bill do paſs.

The bill entitled "An act for dividing the town of Richfield, in the county of Otſego, into three towns, and to alter the name of the town of Suffrage in ſaid county," was read the third time.

*Reſolved*, That the bill do paſs.

*Ordered*, That Mr. M'Intyre and Mr. C. M'Kinſtry deliver the two laſt mentioned bills to the Hon. the Senate and requeſt their concurrence.

A petition of Benajah Boardman and others, inhabitants of the county of Onondaga, praying relief as to the payment of intereſt on mortgages given by them on lands in the Cayuga and Onondaga reſervations, was read and referred to Mr. Oſtrom, Mr. Veeder and Mr. Teed.

A petition of John M'Kinſtry, praying compenſation for military ſervices, was read and referred to Mr. Fairlie, Mr. Clift, Mr. Pauling, Mr. Shurtleff and Mr. Hopkins.

A petition of Cornelius I. Bogert and Peter Bogert, relative to the title to lands in Onondaga county, was read and referred to the Surveyor-General.

Mr. Abeel from the committee of the whole Houſe on the bill entitled "An act for the relief of the proprietors of Miniford's iſland," reported, that the commitee had gone through the bill, made amendments, and agreed to the ſame, which he was directed to report to the Houſe, and he read the report in his place, and delivered the bill and amendments in at the table, where they were again read and agreed to by the Houſe.

*Ordered*, That the bill be engroſſed.

Mr. Dewey from the committee of the whole Houſe on the bill entitled "An act for the relief of Mary Brannon," reported progreſs: Thereupon,

*Ordered*, That the committee of the whole Houſe be diſcharged from the further conſideration of the ſaid bill, and that the ſame be referred to Mr. Prevoſt, Mr. Sorl and Mr. Robins.

Mr. Carpenter from the committee of the whole Houſe on the bill entitled "An

act to amend the act entitled "An act to incorporate the ſtockholders of the New-York inſurance company," reported, that the committee had gone through the bill, and agreed to the ſame without amendment, which he was directed to report to the Houſe, and he read the report in his place, and delivered the bill in at the table, where it was again read and agreed to by the Houſe.

*Ordered*, That the bill be engroſſed.

Mr. Root from the committee of the whole Houſe on the bill entitled "An act for the relief of Stephen Hunt," reported, that after the ſaid bill had been read in the committee, Mr. Gray made a motion, that the committee ſhould agree to reject the ſame; that debates were had, and the queſtion having been put thereon, it was carried in the affirmative: that it was thereupon reſolved as the ſenſe of the committee, that the ſaid bill ſhould be rejected; which he was directed to report to the houſe; and he read the report in his place and delivered the ſame in at the table, where it was again read and agreed to by the Houſe: Thereupon,

*Reſolved*, That the ſaid bill be rejected.

Mr. Butler from the committee of the whole Houſe, on the bill entitled "An act for the relief of Elizabeth Kettletas," reported, that after the ſaid bill had been read in the committee, the enacting clauſe thereof was again read, and is in the words following, viz.

"Be it enacted by the people of the State of New-York, repreſented in Senate and Aſſembly, That the Treaſurer of this State ſhall, and he is hereby directed, on the warrant of the Comptroller, to pay out of any unappropriated monies in the treaſury to Elizabeth Kettletas dollars, as ſome reparation for the injury ſhe has ſuſtained."

That the queſtion having been put whether the committee did agree to the ſaid clauſe, it was carried in the affirmative. That the yeas and nays were called for by Mr. Speaker, ſeconded by Mr. French, and were as follows, viz.

*For the Affirmative.*

| | | | | |
|---|---|---|---|---|
| Mr. Adams | Mr. Dodge | Mr. M'Intyre | Mr. Schermerhorn | |
| Mr. Adgate | Mr. Floyd | Mr. C. M'Kinſtry | Mr. Skidmore | |
| Mr. Adriance | Mr. Fort | Mr. M'Neil | Mr. A. Smith | |
| Mr. Arcularius | Mr. Furman | Mr. Micheau | Mr. H. Smith | |
| Mr. Baldwin | Mr. German | Mr. Moore | Mr. Storm | |
| Mr. Blake | Mr. E. Gilbert | Mr. E. Mott | Mr. Swartwout | |
| Mr. Boyd | Mr. Hopkins | Mr. W. Mott | Mr. Tabor | |
| Mr. Bruyn | Mr. Honeywell | Mr. Nexen | Mr. S. Ten Broeck | |
| Mr. Burling | Mr. Johnſon | Mr. Oſtrom | Mr. Van Benthuyſen | |
| Mr. Burr | Mr. King | Mr. Peck | Mr. Van Renſſelaer | |
| Mr. Burt | Mr. C. Lanſingh | Mr. Philips | Mr. Veeder | |
| Mr. Carpenter | Mr. J. Lanſingh | Mr. Robins | Mr. Waren | |
| Mr. Coe | Mr. Lee | Mr. Root | Mr. Weſtcott | 51 |
| Mr. Comſtock | Mr. Lefevre | | | |

*For the Negative.*

| | | | | |
|---|---|---|---|---|
| Mr. Abeel | Mr. De Witt | Mr. Gray | Mr. John Smith | |
| Mr. Barker | Mr. French | Mr. Hoag | Mr. Joſhua Smith | |
| Mr. Bill | Mr. Gates | Mr. Landon | Mr. Speaker | |
| Mr. Deitz | Mr. B. Gilbert | Mr. Schuyler | Mr. Teed | 17 |
| Mr. Dewey | | | | |

That in proceeding to fill up the blank in the ſaid clauſe, Mr. W. Mott made a motion to inſert therein the words "*five thouſand.*" That the queſtion having been put thereon, it paſſed in the negative. That the yeas and nays were called for by Mr. Nexen, ſeconded by Mr. Boyd, and were as follows, viz.

*For the Negative.*

| | | | | |
|---|---|---|---|---|
| Mr. Abeel | Mr. Furman | Mr. Lee | Mr. H. Smith | |
| Mr. Barker | Mr. Gates | Mr. C. M'Kinſtry | Mr. John Smith | |
| Mr. Bill | Mr. German | Mr. M'Neil | Mr. Joſhua Smith | |
| Mr. Burt | Mr. B. Gilbert | Mr. Micheau | Mr. Speaker | |
| Mr. Deitz | Mr. E. Gilbert | Mr. E. Mott | Mr. Teed | |
| Mr. Dewey | Mr. Gray | Mr. Peck | Mr. S. Ten Broeck | |
| Mr. De Witt | Mr. Hopkins | Mr. Root | Mr. Veeder | |
| Mr. Dodge | Mr. King | Mr. Schermerhorn | Mr. Waren | |
| Mr. Fort | Mr. Landon | Mr. Schuyler | Mr. Weſtcott | 39 |
| Mr. French | Mr. J. Lanſingh | Mr. A. Smith | | |

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Mr. Adams | Mr. Bruyn | Mr. Johnſon | Mr. Robins |
| Mr. Adgate | Mr. Burling | Mr. C. Lanſingh | Mr. Skidmore |
| Mr. Arcularius | Mr. Burr | Mr. Moore | Mr. Storm |
| Mr. Baldwin | Mr. Coe | Mr. W. Mott | Mr. Swartwout |
| Mr. Blake | Mr. Floyd | Mr. Nexen | Mr. VanBenthuyſen 23 |
| Mr. Boyd | Mr. Honeywell | Mr. Philips | |

That Mr. Burr then made a motion that the words "*four thouſand*" ſhould be inſerted in the ſaid blank; that the queſtion being put thereon, it was carried in the affirmative; that the words "*four thouſand*" were accordingly written in the ſaid blank; that the committee had gone through the bill, made amendments, and agreed to the ſame, which he was directed to report to the Houſe, and he read the report in his place, and delivered the bill in at the table, where it was again read and agreed to by the Houſe.

*Ordered*, That the bill be engroſſed.

Then the Houſe adjourned until eleven o'clock on Monday morning next.

MONDAY, *eleven o'clock, A. M. February 11th*, 1799.

The bill entitled "An act to amend the act entitled "An act to incorporate the ſtockholders of the New-York inſurance company" was read the third time.

*Reſolved*, That the bill do paſs.

The bill entitled "An act for the relief of the proprietors of Miniford's iſland" was read the third time.

*Reſolved*, That the bill do paſs.

The bill entitled "An act for the relief of Elizabeth Kettletas" was read the third time.

Mr. Speaker put the queſtion, whether the bill ſhould paſs, and it was carried in the affirmative. The yeas and nays being called for by Mr. Dewey, ſeconded by Mr. Schermerhorn, were as follows, viz.

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Mr. Adams | Mr. Coe | Mr. Lefevre | Mr. Root |
| Mr. Adgate | Mr. Comſtock | Mr. M'Intyre | Mr. Skidmore |
| Mr. Adriance | Mr. Dodge | Mr. C. M'Kinſtry | Mr. A. Smith |
| Mr. Arcularius | Mr. Floyd | Mr. Moore | Mr. Storm |
| Mr. Baldwin | Mr. German | Mr. E. Mott | Mr. Swartwout |
| Mr. Blake | Mr. Honeywell | Mr. W. Mott | Mr. Van Benthuyſen |
| Mr. Boyd | Mr. Hunt | Mr. Nexen | Mr. Veeder |
| Mr. Burr | Mr. Johnſon | Mr. Oſtrom | Mr. Waren |
| Mr. Burt | Mr. Lee | Mr. Philips | Mr. Weſtcott 37 |
| Mr. Carpenter | | | |

*For the Negative.*

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|---|---|---|---|
| Mr. Abeel | Mr. Deitz | Mr. E. Gilbert | Mr. Schuneman |
| Mr. Barker | Mr. Dewey | Mr. Hopkins | Mr. Schuyler |
| Mr. Bill | Mr. De Witt | Mr. Landon | Mr. H. Smith |
| Mr. Butler | Mr. French | Mr. Micheau | Mr. John Smith |
| Mr. Campbell | Mr. Gates | Mr. Peck | Mr. Joſhua Smith |
| Mr. Cummings | Mr. B. Gilbert | Mr. Savage | Mr. S. Ten Broeck 24 |

Thereupon, *Reſolved*, That the bill do paſs.

*Ordered*, That Mr. C. M'Kinſtry and Mr. M'Niel deliver the ſaid bills to the Hon. the Senate and requeſt their concurrence.

A meſſage from his Excellency the Governor, delivered by his private ſecretary, was read, and is in the words following, viz.

GENTLEMEN;

I herewith lay before you a letter of the 8th inſt. from Lt. Col. Stevens, the Commiſſary of Military Stores for the ſtate, together with the general returns mentioned in it. The amount and value of theſe ſtores is already conſiderable, and with reſpect to ſome of the articles, will be augmented. It is, therefore, important that they be kept ſecurely, and in the beſt ſtate of preſervation. The reſponſibility attached to this office, and the care, knowledge and time neceſſary to diſcharge the duties of it, afford the officer good reaſon to expect a correſpondent compenſation; unleſs it be ſuch as to induce competent and proper perſons to accept it, the office

muſt, of neceſſity, be committed to men not of that deſcription, and who cannot inſpire that degree of confidence which prudence requires.

I have good reaſon to believe that the perſonal ſervices and uſeful agency of Lt. Col. Stevens, in executing and expediting the various military meaſures taken for the defence of the ſtate for ſome years paſt, have been ſuch as far to exceed what the public has a right to expect ſhould be gratuitous. I therefore think it my duty to recommend this ſubject to your conſideration.

JOHN JAY.

*Albany, 11th February, 1799.*

The papers referred to in the ſaid meſſage of his Excellency the Governor were alſo read: Thereupon,

*Ordered*, That the meſſage of his Excellency the Governor, together with the papers accompanying the ſame, be committed to a committee of the whole Houſe.

*Ordered*, That one hundred and fifty copies thereof be forthwith printed for the uſe of this Houſe.

A petition of James M'Gourk, of the city of Albany, relative to the title to lot No. 43, in the townſhip of Locke, in the county of Onondaga, was read and referred to Mr. French, Mr. C. Lanſingh and Mr. Voorhis.

A petition of Amos Scofield was read and ordered to be laid on the table.

A petition of John Joyce, praying compenſation for improvements made by him on a lot of land in the county of Montgomery, which was afterwards ſold as part of the forfeited eſtate of James Jauncey, late of the city of New-York, was read and referred to Mr. Dewey, Mr. M'Niel and Mr. Adgate.

A remonſtrance of Elijah Powers and others, inhabitants reſiding on a tract of land in Herkimer county called Young's patent, objecting to their being annexed to the county of Otſego, was read and referred to Mr. Butler, Mr. Shurtleff and Mr. J. M'Kinſtry.

Two petitions of the Sachems and Chiefs of the Muchheconneck or Stockbridge tribe of Indians, in behalf of their nation, relative to compenſation for their claim to lands within this ſtate, was read and referred to Mr. M'Niel, Mr. J. M'Kinſtry and Mr. Snell.

A petition of Joſeph Grover and others, and a petition of John Stoyell and others, inhabitants of the county of Onondaga, praying that the court-houſe in ſaid county may be eſtabliſhed at the Cayuga ferry, were ſeverally read and committed to the committee of the whole Houſe when on the bill entitled "An act to erect a part of the county of Onondaga into a new county by the name of ."

A petition of the Mayor, Aldermen and Commonalty of the city of Albany, praying that they may be enabled by law to raiſe monies by tax for the defraying the expenſe of lighting lamps, and for the ſupport of a night watch in the ſaid city, was read and referred to Mr. J. Lanſingh, Mr. Wolfe and Mr. Gates.

A petition of John De Lancey, praying that for the reaſons therein ſtated, the Legiſlature will not paſs into a law, the bill entitled "An act for the relief of Caleb Brown and others," was read and committed to the committee of the whole Houſe when on the ſaid bill.

Mr. Burr from the committee appointed for the purpoſe, reported a bill entitled "An act for the aſſeſſment and collection of taxes," which was read and committed to a committee of the whole Houſe.

*Ordered*, That three hundred copies of the ſaid bill be forthwith printed for the uſe of this Houſe.

A meſſage from the Hon. the Senate, delivered by Mr. Tillotſon and Mr. Vail, with the bill therein mentioned, was read, that the Senate have paſſed the bill entitled "An act to amend the act entitled "An act to incorporate that part of the town of Schenectady therein mentioned," to which they requeſt the concurrence of this Houſe. The ſaid bill was read the firſt time and ordered a ſecond reading.

Mr. Storm from the committee of the whole Houſe on the bill entitled "An act concerning wolves and panthers," reported, that the committee had gone through the bill and agreed to the ſame without amendment, which he was directed to report to the Houſe, and he read the report in his place, and delivered the bill in at the table, where it was again read and agreed to by the Houſe, and ordered the third reading.

Mr. Prevoſt from the committee of the whole Houſe on the bill entitled "An act to amend the laws reſpecting the loan-officers and ſupervisors of the ſeveral counties of this ſtate," reported progreſs and obtained leave to ſit again.

Mr. Dewey from the committee of the whole Houſe on the bill entitled "An act for the inſpection of flour and meal," reported progreſs and obtained leave to ſit again.

Then the Houſe adjourned until eleven o'clock to-morrow morning.

TUESDAY, *eleven o'clock, A. M. February 12th*, 1799.

The bill entitled "An act concerning wolves and panthers" was read the third time.

*Reſolved*, That the bill do paſs.

*Ordered*, That Mr. Micheau and Mr. Moore deliver the bill to the Hon. the Senate and inform them that this Houſe have paſſed the ſame without amendment.

The bill entitled "An act to amend the act entitled "An act to incorporate that part of the town of Schenectady therein mentioned," was read the ſecond time and committed to a committee of the whole Houſe.

Six ſeveral petitions from inhabitants of the county of Onondaga, praying that the court-houſe in the ſaid county may be eſtabliſhed by law at the Cayuga ferry, were reſpectively read and committed to the committee of the whole Houſe when on the bill entitled "An act to erect a part of the county of Onondaga into a ſeparate county by the name of ."

A petition of John Lanſing, jun. ſtating that he purchaſed of the commiſſioners of forfeitures for the Weſtern Diſtrict, a lot of land now ſituate in the county of Schoharie, granted by letters patent to Frederick Young and others, as forfeited by the attainder of the ſaid Frederick Young; and that it appears that the ſaid Frederick Young had conveyed the land ſo purchaſed, ſeveral years before the revolution, to Theobald Young in fee, praying relief in the premiſes, was read and referred to Mr. J. Lanſing, Mr. Clark and Mr. Weſtcott.

A meſſage from his Excellency the Governor, delivered by his private ſecretary, was read, and is in the words following, viz.

GENTLEMEN,

I have received from the Council of the ſtate of Maryland, a letter dated the 29th of laſt month, encloſing a copy of certain reſolutions of the Senate and Houſe of Delegates of that ſtate, and requeſting me to lay them before the Legiſlature of this ſtate. I herewith lay thoſe papers before you accordingly. The reſolutions reſpect a propoſed amendment to the conſtitution of the United States, the better to guard againſt the introduction of foreign influence into our National Councils. This ſubject is highly intereſting and well deſerves conſideration.

JOHN JAY.

*Albany, 12th February*, 1799.

The reſolutions which accompanied his Excellency's meſſage are in the words following, viz.

BY THE HOUSE OF DELEGATES, *January* 1, 1799.

WHEREAS it is highly expedient that every conſtitutional barrier ſhould be oppoſed to the introduction of foreign influence into our National Councils, and that the conſtitution of the United States ſhould be ſo amended as to effect and ſecure, in the beſt manner, the great objects for which it was deſigned: Therefore,

*Reſolved*, That the Senators and Repreſentatives of this ſtate in the Congreſs of the United States be, and they are hereby requeſted, to uſe their beſt endeavors that Congreſs propoſe to the Legiſlatures of the ſeveral ſtates the following amendments to the federal conſtitution, to wit: That in addition to the other qualifications preſcribed by ſaid conſtitution, no perſon ſhall be eligible as a Senator or Repreſentative in the Congreſs of the U. States, except a natural born citizen, or unleſs he ſhall have been a reſident in the United States at the time of the declaration of independence, or naturalized and admitted a citizen at the time of making this amendment to the conſtitution; no perſon ſhall be eligible as Vice-Preſident of the United States, except a natural born citizen, or a citizen of the United States at the time of the adoption of the federal conſtitution, and that no perſon ſhall be eligible to that office who ſhall not have attained to the age of thirty-five years, and been fourteen years a reſident within the United States.

*Reſolved*, That the Preſident of the Senate and the Speaker of this Houſe be requeſted forthwith to tranſmit the foregoing reſolve to the Senators and Repreſentatives of this ſtate in Congreſs, and that the Governor and Council be, and they are hereby requeſted to communicate the ſame to the Supreme Executives of the ſeveral ſtates, with a requeſt that they may be ſubmitted to the conſideration of their reſpective Legiſlatures. *By order*,

W. HARWOOD, *Clk.*

By the Senate, January 2, 1799: Read the firſt time and ordered to lie on the table *By order*,

A. VAN-HORN, *Clk.*

By the Senate, January 9, 1799: Read the ſecond time and aſſented to.

*By order*, A. VAN-HORN, *Clk.*

*Ordered*, That the meſſage of his Excellency the Governor and the papers accompanying the ſame, be committed to a committee of the whole Houſe.

Mr. M'Neil from the committee of the whole Houſe, on the bill entitled "An act to improve the navigation of Hudſons river between the villages of Lanſingburgh and Troy," reported, that the committee had gone through the bill, made amendments and agreed to the ſame, which he was directed to report to the Houſe; and he read the report in his place and delivered the bill in at the table, where it was again read and agreed to by the Houſe.

*Ordered*, That the bill be engroſſed.

Mr. Philip Smith from the committee of the whole Houſe on the bill entitled "An act for the relief of Caleb Brown and others," reported progreſs and obtained leave to ſit again.

The Comptroller, to whom was referred the petition of John Wood, reported, that the petitioner ſtates that on the 31ſt of July, 1780, a certificate was iſſued to him, numbered 4318, for the ſum of 190l. 18s. 4d. for the depreciation of his pay as a captain in the militia of this ſtate; that in March 1788 he delivered it, with one other certificate, for intereſt due to him, to Coe Gale, of the county of Orange, with a requeſt that he would receive of the treaſurer of this ſtate ſuch part of the principal and intereſt as had become due thereon; that Gale received from the treaſurer one fourth part of the intereſt certificate, and a new certificate for the remainder, being 19l. 4s. 0d. and numbered 2620, but no part of the principal or intereſt of the ſaid certificate for depreciation; that both the ſaid certificates were loſt or ſtolen from the ſaid Coe Gale, and that notwithſtanding the moſt diligent ſearch has been made in the proper public offices, it does not appear that either of the ſaid certificates have been funded or paid; and he therefore prays the Legiſlature to grant him relief by reſtoring to him the property of which he has been deprived, and of which he conceives the ſtate has received the benefit.

As the application of the petitioner is founded on the ſuppoſition that the ſaid certificates have not been paid by the ſtate, the Comptroller has examined the books, accounts and vouchers in his office, and in the Treaſury, reſpecting the ſame, from which it appears that the ſaid certificate No. 4318 was paid into the Treaſury on the 2d of September, 1789, by Dodge, Graham and Hathorn, commiſſioners of forfeitures for the Middle Diſtrict, and that the ſaid certificate No. 2620 was delivered by John Delafield to Gerard Bancker, the late Treaſurer of this ſtate, in exchange for continental certificates, in the month of April, 1790; and that in purſuance of the act relative to the Treaſury of this ſtate, paſſed the 19th of March, 1798, the perſons thereby authoriſed have deſtroyed both the ſaid certificates.

All which is reſpectfully ſubmitted.

SAMUEL JONES, Comptroller.

*Albany, 9th February*, 1799.

Thereupon, *Reſolved*, That the prayer of the ſaid petitioner cannot be granted.

A meſſage from the Hon. the Senate, delivered by Mr. Vail and Mr. Van Schoonhoven, with the bill, amendments and a copy of the reſolution therein mentioned, was read, that the Senate do recede from their firſt and third amendments, and do adhere to their ſecond amendment to the bill entitled "An act for the relief of Jabez Johnſon," which was not concurred in by this Houſe. The bill and the amendment adhered to by the Hon. the Senate were read: Thereupon,

*Reſolved*, That this Houſe do recede from their non-concurrence, and do concur in the ſaid amendment.

*Ordered*, That the ſaid bill be amended accordingly.

*Ordered*, That Mr. E. Mott and Mr. W. Mott, deliver the bill to the Hon. the Senate, and inform them that this Houſe have receded from their non-concurrence, and do concur in the ſaid amendment, and have amended the ſaid bill accordingly.

Mr. Swartwout made a motion for a reſolution with recitals, in the words following, to wit;

Whereas great inconveniences are experienced by the good people of this ſtate, by reaſon of the diſtricts being ſo extenſive, that it is impoſſible for the people to have ſufficient knowledge of the characters, who are from time to time held up as candidates for ſeats in the Senate of this State.

And whereas the preſent law for appointing electors for the election of Preſident and Vice-Preſident of the United States of America, appears by the preamble to have been intended as a temporary arrangement until further proviſion could be made by the Legiſlature, to authoriſe the people to chooſe their ſaid electors:

Therefore, *Reſolved*, That a committee be appointed to prepare and report a bill to ſubdivide the great diſtricts of this ſtate into as many diſtricts as there are Senators to be choſen; alſo, into as many diſtricts as there are electors to be choſen, ſo that each diſtrict ſhall chooſe a Senator, and each diſtrict to chooſe an elector for electing the Preſident and Vice-Preſident of the United States of America.

Mr. Peck then made a motion as an amendment, that the Houſe ſhould agree to ſubſtitute in the room of the ſaid reſolution propoſed by the motion of Mr. Swartwout, two reſolutions with recitals, which were ſeverally read; and the queſtion having been put on the ſaid motion of Mr. Peck, it was carried in the affirmative. The firſt of the ſaid reſolutions was then again read, and with its recital, is in the words following, viz.

Whereas by the conſtitution of this ſtate, the ſame was divided into four great diſtricts for the election of Senators; and it is by the ſame conſtitution ordained, that it ſhould be in the power of the future Legiſlatures of this ſtate, for the convenience and advantage of the good people thereof, to divide the ſame into ſuch further and other counties and diſtricts as ſhall to them appear neceſſary.

And whereas the great increaſe of population hath rendered the extent of the ſaid great diſtricts extremely inconvenient to the good people of this ſtate, for the choice of Senators in the mode now uſed; for remedy whereof, it hath become neceſſary to divide the ſame into further and other diſtricts, in order that the good people of this ſtate may better know the perſons to be elected: Therefore,

*Reſolved*, That a committee be appointed to prepare and bring in a bill for ſubdividing each of the four great diſtricts of this ſtate into ſo many other diſtricts for the choice of Senators, as ſhall beſt promote the convenience of the good people, the electors of this ſtate.

Mr. Speaker put the queſtion whether the Houſe did agree to the ſaid reſolution, and it was carried in the affirmative. The yeas and nays being called for by Mr. Gray, ſeconded by Mr. Van Renſſelaer, were as follows, viz.

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Mr. Abeel | Mr. Dodge | Mr. E. Mott | Mr. John Smith |
| Mr. Adams | Mr. Floyd | Mr. Nexen | Mr. Joſhua Smith |
| Mr. Adgate | Mr. German | Mr. Paine | Mr. Snell |
| Mr. Adriance | Mr. E. Gilbert | Mr. Peck | Mr. Storm |
| Mr. Arcularius | Mr. Hogeboom | Mr. Philips | Mr. Swart |
| Mr. Baldwin | Mr. Honeywell | Mr. Prevoſt | Mr. Swartwout |
| Mr. Burling | Mr. Hunt | Mr. Robins | Mr. S. Ten Broeck |
| Mr. Burr | Mr. Johnſon | Mr. Root | Mr. Thomas |
| Mr. Burt | Mr. Landon | Mr. Savage | Mr. Van Benthuyſen |
| Mr. Clark | Mr. Lee | Mr. Schuneman | Mr. Veeder |
| Mr. Coe | Mr. Lefevre | Mr. Skidmore | Mr. Waren |
| Mr. Comſtock | Mr. M'Intyre | Mr. A. Smith | Mr. Weſtcott |
| Mr. Corl | Mr. Moore | Mr. H. Smith | Mr. Wolfe 53 |
| Mr. Crocker | | | |

*For the Negative.*

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|---|---|---|---|
| Mr. Barker | Mr. Fort | Mr. King | Mr. Reynolds |
| Mr. Bill | Mr. French | Mr. C. Lanſingh | Mr. Schermerhorn |
| Mr. Butler | Mr. Furman | Mr. J. Lanſingh | Mr. Schuyler |
| Mr. Campbell | Mr. Gates | Mr. C. M'Kinſtry | Mr. Shurtleff |
| Mr. Clift | Mr. B. Gilbert | Mr. J. M'Kinſtry | Mr. John M. Smith |
| Mr. Cummings | Mr. Gray | Mr. M'Neil | Mr. Philip Smith |
| Mr. Deitz | Mr. Hall | Mr. Micheau | Mr. Teed |
| Mr. Dewey | Mr. Heermance | Mr. W. Mott | Mr. P. Ten Broeck |
| Mr. De Witt | Mr. Henry | Mr. Pauling | Mr. Van Renſelaer |
| Mr. Doty | Mr. Hoag | Mr. Pearce | Mr. Williamſon 40 |

Thereupon, *Ordered*, That Mr. Swartwout, Mr. Blake, Mr. Skidmore, Mr. Savage and Mr. German, be of the committee for the purpoſes mentioned in the ſaid reſolution.

The other reſolution propoſed by the motion of Mr. Peck, was then alſo again read, and with the recitals, is in the words following, viz.

Whereas by the conſtitution of the United States, it is declared that for the election of a Preſident and Vice-Preſident, each ſtate ſhall appoint in ſuch manner as the Legiſlature thereof may direct, a number of electors equal to the whole number of Senators and Repreſentatives to which ſuch ſtate may be entitled in Congreſs.

And whereas by a ſtatute of this ſtate, paſſed the 12th of April, 1792, entitled "An act for appointing electors in this ſtate for the election of a Preſident of the United States of America," it is among other things recited, that the time within which the appointment of electors then required to be made was too ſhort to admit of their being choſen by the people.

And whereas it doth appear to be the intent and meaning of the conſtitution of the United States, that the electors ſhould be choſen by the people; and that the Legiſlature ſhould direct the mode, but ſhould not aſſume to themſelves the appointment of the electors; and whereas the reaſon which induced the Legiſlature to aſſume to themſelves the appointment of electors by the act above directed, doth not now exiſt: Therefore,

*Reſolved*, That a committee be appointed to prepare and bring in a bill directing the mode in which electors of a Preſident and Vice-Preſident of the United States ſhall be choſen by the people of this ſtate.

Mr. Speaker put the queſtion whether the Houſe did agree to the ſaid reſolution, and it was carried in the affirmative. The yeas and nays being called for by Mr. Root, ſeconded by Mr. French, were as follows, viz.

*For the Affirmative.*

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|---|---|---|---|
| Mr. Abeel | Mr. Corl | Mr. Moore | Mr. John Smith |
| Mr. Adams | Mr. Crocker | Mr. E. Mott | Mr. Joſhua Smith |
| Mr. Adgate | Mr. Dodge | Mr. Nexen | Mr. Snell |
| Mr. Adriance | Mr. Floyd | Mr. Paine | Mr. Storm |
| Mr. Arcularius | Mr. German | Mr. Peck | Mr. Swart |
| Mr. Baldwin | Mr. E. Gilbert | Mr. Philips | Mr. Swartwout |
| Mr. Blake | Mr. Hogeboom | Mr. Prevoſt | Mr. S. Ten Broeck |
| Mr. Boyd | Mr. Honeywell | Mr. Robins | Mr. Thomas |
| Mr. Burling | Mr. Hunt | Mr. Root | Mr. Van Benthuyſen |
| Mr. Burr | Mr. Johnſon | Mr. Savage | Mr. Veeder |
| Mr. Burt | Mr. Landon | Mr. Schuneman | Mr. Waren |
| Mr. Clark | Mr. Lee | Mr. Skidmore | Mr. Weſtcott |
| Mr. Coe | Mr. Lefevre | Mr. A. Smith | Mr. Wolfe 55 |
| Mr. Comſtock | Mr. M'Intyre | Mr. H. Smith | |

*For the Negative.*

| | | | |
|---|---|---|---|
| Mr. Barker | Mr. Fort | Mr. King | Mr. Reynolds |
| Mr. Bill | Mr. French | Mr. C. Lanſingh | Mr. Schermerhorn |
| Mr. Butler | Mr. Furman | Mr. J. Lanſingh | Mr. Schuyler |
| Mr. Campbell | Mr. Gates | Mr. C. M'Kinſtry | Mr. Shurtleff |
| Mr. Clift | Mr. B. Gilbert | Mr. J. M'Kinſtry | Mr. John M. Smith |
| Mr. Cummings | Mr. Gray | Mr. M'Neil | Mr. Philip Smith |
| Mr. Deitz | Mr. Hall | Mr. Micheau | Mr. Teed |
| Mr. Dewey | Mr. Heermance | Mr. W. Mott | Mr. P. Ten Broeck |
| Mr. De Witt | Mr. Henry | Mr. Pauling | Mr. Van Renſſelaer |
| Mr. Doty | Mr. Hoag | Mr. Pearce | Mr. Williamſon 40 |

Thereupon, *Ordered*, That Mr. Philips, Mr. Peck, Mr. Corl, Mr. Swart and Mr. A. Smith be of the committee for the purpoſes mentioned in the ſaid reſolution.

Then the Houſe adjourned until eleven o'clock to-morrow morning.

WEDNESDAY, *eleven o'clock, A. M. February 13th*, 1799.

The bill entitled "An act to improve the navigation of Hudſon's river between the villages of Lanſingburgh and Troy" was read the third time.

*Reſolved*, That the bill do paſs.

*Ordered*, That Mr. E. Mott and Mr. W. Mott deliver the bill to the Hon. the Senate, and requeſt their concurrence.

A petition of George Cuſkaden, late of Lanſingburgh, in the county of Renſſelaer, merchant, confined for debt in the gaol of the city of Albany, praying to be relieved from his impriſonment, was read and referred to the joint committee appointed to take into conſideration the ſeveral petitions relative to impriſoned debtors.

A petition of David Goff and others, inhabitants of the county of Otſego, praying that the time for holding annual town meetings may be altered; and alſo praying alterations in the act to regulate highways, ſo far as relates to the office of ſuperintendant, was read and referred to the members attending this Houſe from the county of Otſego.

A petition of Jacob Enderon and others, inhabitants of the county of Columbia, ſtating, that during the late war they ſeverally furniſhed a ſoldier to ſerve in the army, and that they were afterwards nevertheleſs obliged to furniſh and pay their full proportion of all monies, and other articles, for hiring and equipping men to ſerve in the army, and praying that relief to which they conceive themſelves entitled, was read: Thereupon,

*Reſolved*, That the prayer of the ſaid petition cannot be granted.

A petition of the Cayuga bridge company, praying that certain alterations may be made in their charter of incorporation, was read and referred to Mr. Hall, Mr. Burr and Mr. Bill.

*Ordered*, That Mr. Tabor have leave of abſence for ten days.

Mr. Doty from the ſelect committee to whom was committed the bill entitled "An act to eſtabliſh a turnpike corporation for improving the ſtate road from the houſe of John Weaver in Water-Vliet, to Cherry-Valley, and to repeal the act therein mentioned," reported, that they have compared the bill with the aforeſaid act, and find that the principles in which they differ are as follows, viz.

The act provides, that the real eſtate to be purchaſed & held by the directors ſhall not exceed the value of one thouſand dollars. The bill contains no ſuch limitation.

The bill directs that *five* books for ſubſcriptions be procured and diſpoſed of by the commiſſioners. The law enacts that *four* books be procured for the like purpoſe, and names the men with whom they are to be depoſited.

By the bill the ſtockholders are empowered to chooſe directors as ſoon as one hundred ſhares ſhall be ſubſcribed. This privilege is not granted by the law until three hundred ſhares ſhall be ſubſcribed.

The bill empowers the directors to extend their ſubſcriptions to two thouſand ſhares; but the law limits it to one thouſand.

Four directors conſtitute a board in the bill, and the board may direct deviations from the ſtate road. On the firſt point the law is ſilent; the latter it prohibits.

In the bill the directors are to make and repair the road in the beſt manner their funds will admit, either by bedding the ſame, or ſuch parts thereof as may be neceſſary to make it paſſable and convenient for carriages. The act makes it neceſſary that the whole of the ſaid road be bedded with wood, ſtone, gravel, or any other hard ſubſtance, well compacted together, a ſufficient depth to ſecure a ſolid foundation, and faced with gravel or ſtone pounded, or ſome other ſmall hard ſubſtance, twenty feet wide, and raiſed in the middle with a regular arch of at leaſt twenty inches.

The bill empowers the directors to commence their operations by conſtructing a bridge acroſs the Schoharie Kill, on the completion of which they are authoriſed to receive toll. This does not appear to be the directions of the law.

As ſoon as ten miles, or a greater diſtance of the ſaid road ſhall be completed, the

bill authoriſes the directors to receive toll; but the law contemplates that the whole diſtance ſhall be completed and approved before toll on any part can be demanded.

The bill inflicts penalties for breaking down or defacing any mile ſtone or guide poſt, or forcibly paſſing any of the turnpikes, or avoiding them by turning out of the road with a deſign to elude the payment of toll. On this ſubject the law is ſilent.

The other principles of the bill are conſonant with the law, but the wording is widely different.

Thereupon, *Ordered*, That the ſaid report and alſo the ſaid bill be committed to a committee of the whole Houſe.

A meſſage from the Hon. the Senate, delivered by Mr. Van Schoonhoven and Mr. Van Vechten, with the bill therein mentioned, was read, that the Senate have paſſed the bill entitled "An act concerning the ſtate priſon," to which they requeſt the concurrence of this Houſe.

Mr. M'Niel from the committee to whom were referred the petitions of the inhabitants of the towns of Trenton and Remſen, in the county of Oneida, reported that in the opinion of the committee legiſlative proviſion in the premiſes is neceſſary, that they have prepared a bill for ſuch purpoſe, and have directed him to move for leave to bring in the ſame. Leave being given, Mr. M'Neil brought in the ſaid bill entitled "An act to aſcertain the line of diviſion between the towns of Trenton and Remſen in Oneida county," which was read the firſt time and ordered a ſecond reading.

Mr. J. Lanſingh from the committee to whom was referred the petition of the Mayor, Aldermen and Commonalty of the city of Albany, reported that they are of opinion the prayer of the petitioners ought to be granted, and that leave ſhould be given to bring in a bill for the purpoſes contemplated in the petition. Leave being given, Mr. Lanſingh brought in the ſaid bill entitled "An act authoriſing the Mayor, Aldermen and Commonalty of the city of Albany to raiſe a ſum by tax for defraying the expenſe of lighting the lamps and for the ſupport of a night watch in ſaid city," which was read the firſt time and ordered a ſecond reading.

Mr. Prevoſt from the committee to whom was referred the petition of John Wells, reported, That by two ſeveral conveyances, the one dated the 2d January, 1787, the other the 28th Auguſt, 1788, the commiſſioners of forfeitures for the weſtern diſtrict for the conſideration of one hundred and ſixty-ſix pounds eight ſhillings, conveyed to John Lanſing, jun. a tract of 320 acres in the county of Saratoga (diſtinguiſhed in a map of partition of a patent commonly called Northampton patent, by lot No. 8) as veſted in the people of this ſtate by the attainder of Guy Johnſon, Eſq. of the county of Tryon. That being ſo ſeized thereof, the ſaid John Lanſing, jun. on the 31ſt July, 1789, for a valuable conſideration releaſed all the eſtate thereto veſted in him by the ſaid conveyance to Edward Griſwold. That from original documents in the hands of the committee it appears that the ſaid Guy Johnſon was never ſeized thereof, but that the title to the ſame lot No. 8, is veſted in Philip Livingſton and Dr. John H. Livingſton, by deviſe from Philip Livingſton, who purchaſed the ſame from Arent Stevens of the town of Schenectady on the 1ſt February, 1743-4. That in the ſaid conveyance thereof it is ſtated, that on the 17th October, 1741, letters patent were iſſued to Jacob Meaſe, John R. Bleecker and Jacobus Bleecker for 6000 acres. That on the 1ſt February, 1743-4, the ſaid grantees conveyed the ſame to Edward Collins, Henry Holland, Cornelia Schuyler and Arent Stevens in fee. That upon a diviſion thereof, the ſaid Arent Stevens became ſeized of the ſaid lot No. 8, in ſeverality. That by a letter of attorney duly executed, dated the 12th December, 1798, the ſaid petitioner is authorized by the ſaid Edward Griſwold in his name or otherwiſe to make ſuch application for redreſs to the Legiſlature of this ſtate, as he might think proper. The committee are therefore of opinion that the petitioner is entitled to receive from this ſtate the monies ſo paid by the ſaid John Lanſing, jun. to the commiſſioners of forfeitures for the weſtern diſtrict, with intereſt; but the committee ſubmit to the Houſe the propriety of referring the ſame to the Attorney-General for his opinion on the title thereto, before they aſk for leave to bring in a bill for the relief of the petitioner.

Thereupon, *Ordered*, That the ſaid petition together with the ſaid report be re-
ed to the Attorney-General.

Mr. Burr from the committee appointed to take into conſideration whether any, if any, what alterations are neceſſary in the ſeveral ſtatutes of limitation, and report by bill or otherwiſe, reported a bill entitled "An act to amend the ſta-e of limitations," which was read the firſt time and ordered a ſecond reading.

*Reſolved*, That a committee be appointed to take into conſideration the ſeveral ws of this ſtate which reſpect the ſale of real eſtates, and report whether any, and ny, what alterations are neceſſary in the ſaid laws, and that Mr. Reynolds, Mr. artwout and Mr. Thomas be of the ſaid committee.

The Hon. the Senate returned by Mr. Van Vechten and Mr. Addiſon, the bill itled "An act for the relief of Jabez Johnſon."

*Ordered*, That Mr. W. Mott and Mr. Nexen deliver the bill to the Hon. the uncil of Reviſion.

Mr. Dewey from the committee of the whole Houſe on the bill entitled "An act the inſpection of flour and meal," reported progreſs: Thereupon,

*Ordered*, That the committee of the whole Houſe be diſcharged from the further ſideration of the ſaid bill, and that the ſame be referred to a ſelect committee ſiſting of Mr. Storm, Mr. Nexen and Mr. Swartwout.

Then the Houſe adjourned until eleven o'clock to-morrow morning.

THURSDAY, *eleven o'clock, A. M. February 14th*, 1799.

The bill entitled "An act concerning the State-Priſon," the bill entitled "An t authorizing the Mayor, Aldermen and Commonalty of the city of Albany to ſe a ſum by tax for defraying the expenſe of lighting the lamps, and for the ſup-rt of a night watch in the ſaid city," the bill entitled "An act to aſcertain the e of diviſion between the towns of Trenton and Remſen, in the county of Onei-," and the bill entitled "An act to amend the ſtatute of limitation," were ſeve-lly read the ſecond time and committed to a committee of the whole Houſe.

A petition of John Wilſon, praying a grant of bounty lands for military ſervices, s read and referred to Mr. Fairlie, Mr. Clift, Mr. Pauling, Mr. Shurtleff and Mr. opkins.

*Ordered*, That Mr. Van Benthuyſen have leave of abſence for four days.

*Ordered*, That the committee of the whole Houſe be diſcharged from the further ſideration of the bill committed to them this day, authorizing the raiſing monies y tax in the city of Albany for city purpoſes, and that the ſame bill be referred to ſelect committee conſiſting of the members attending this Houſe from the city and unty of Albany.

Mr. Van Renſſelaer from the committee to whom was referred the petition of Be-ah Holcomb and others, reported, that from the information the committee have en able to obtain, the facts ſtated in the petition are true; that in their opinion e petitioners are entitled to legiſlative aid; that the committee have prepared a ll for ſuch purpoſe, and have directed him to move for leave to bring in the ſame. eave being given, Mr. Van Renſſelaer brought in the ſaid bill entitled "An act to corporate a part of Stephentown for the purpoſes therein mentioned," which was ad the firſt time and ordered a ſecond reading.

Mr. King from the committee to whom was referred the petition of John Man-eſter and others, reported, that the petitioners appear to be ſubjected to real em-arraſſments as ſet forth in their petition, and that in the opinion of the committee, ave ſhould be given to bring in a clauſe for their relief, to be added to the bill en-tled "An act granting relief to actual ſettlers on the Oneida reſervation."

*Ordered*, That leave be given, and that the ſame committee do prepare and bring ſuch clauſe.

*Reſolved*, That a committee be appointed to conſider and report whether any, d if any, what alterations are neceſſary in the act to regulate highways, and that r. Reynolds, Mr. Abeel, Mr. Henry, Mr. Schuyler, Mr. Clark, Mr. E. Gilbert d Mr. M'Neil be of the ſaid committee.

*Reſolved*, That a committee be appointed to conſider and report whether any, d if any, what alterations or amendments are neceſſary in the 7th ſection of the t for dividing the counties of this ſtate into towns, and that Mr. Teed, Mr. Tho-as, Mr. Root, Mr. Dewey and Mr. Pauling be of the ſaid committee.

*Ordered*, That the committee to whom was referred the petition of David G and others, be discharged from any further consideration thereof; and that so mu of the said petition as relates to altering the time for holding annual town meetin be referred to the committee appointed to consider and report whether any, and any, what amendments are necessary in the 7th section of the act for dividing t counties of this state into towns; and that so much of the said petition as rela to the office of superintendant of highways be referred to the committee appoint to consider and report whether any, and if any, what amendments are necessary the act to regulate highways.

Mr. Dewey from the committee appointed to enquire whether any, and if an what alterations and amendments are necessary to be made in the act for regulati elections, reported, that in their opinion certain alterations are necessary; that the have prepared a bill relative thereto, and that he was directed to move for leave bring in the same. Leave being given, Mr. Dewey brought in the said bill entitle "An act to amend the act entitled "An act for regulating elections," which w read the first time, and by unanimous consent was also read a second time and com mitted to a committee of the whole House.

Mr. Prevost from the committee of the whole House on the bill entitled "An a concerning the State-Prison," reported, that the committee had gone through th bill and agreed to the same without amendment, which he was directed to report t the House, and he read the report in his place, and delivered the same in at th table, where it was again read and agreed to by the House, and the bill ordere the third reading.

*Resolved*, That this House will, on Tuesday next, resolve itself into a committe of the whole House on the bill entitled "An act to amend the act entitled "A act to organize the militia of this state."

Mr. Reynolds from the committee of the whole House on the bill entitled "A act granting relief to Alexander Comrie," reported the proceedings of the commit tee to have been as follows, viz. That after the bill had been read in the commit tee, the enacting clause thereof was again read, and is in the words following, vi

"Be it enacted by the People of the State of New-York, represented in Sena and Assembly, That it shall be lawful for the Comptroller of this state, and it i hereby made his duty, to draw his warrant on the Treasurer of this state in favo of Alexander Comrie, or his legal representatives, for the sum of dollar to be paid out of any monies in the Treasury of this state."

That the question having been put whether the committee did agree thereto, it was carried in the affirmative. That the yeas and nays being called for by Mr Speaker, seconded by Mr. Boyd, were as follows, viz.

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Mr. Adgate | Mr. Corl | Mr. J. M'Kinstry | Mr. Schuneman |
| Mr. Adriance | Mr. Crocker | Mr. Micheau | Mr. Skidmore |
| Mr. Arcularius | Mr. Cummings | Mr. Moore | Mr. A. Smith |
| Mr. Baldwin | Mr. Dodge | Mr. E. Mott | Mr. H. Smith |
| Mr. Barker | Mr. Floyd | Mr. W. Mott | Mr. John Smith |
| Mr. Blake | Mr. Furman | Mr. Nexen | Mr. Snell |
| Mr. Boyd | Mr. Gates | Mr. Ostrom | Mr. Storm |
| Mr. Burling | Mr. B. Gilbert | Mr. Paine | Mr. Swartwout |
| Mr. Burt | Mr. E. Gilbert | Mr. Pauling | Mr. Teed |
| Mr. Butler | Mr. Hogeboom | Mr. Pearse | Mr. S. Ten Broeck |
| Mr. Carpenter | Mr. Hopkins | Mr. Peck | Mr. Thomas |
| Mr. Clark | Mr. Hunt | Mr. Philips | Mr. Veeder |
| Mr. Clift | Mr. Johnson | Mr. Robins | Mr. Voorhis |
| Mr. Coe | Mr. Landon | Mr. Root | Mr. Westcott |
| Mr. Comstock | Mr. M'Intyre | Mr. Savage | Mr. Wolfe |

*For the Negative.*

| | | | |
|---|---|---|---|
| Mr. Abeel | Mr. Fort | Mr. C. Lansingh | Mr. John M. Smith |
| Mr. Adams | Mr. French | Mr. J. Lansingh | Mr. Joshua Smith |
| Mr. Bill | Mr. German | Mr. Lefevre | Mr. Philip Smith |
| Mr. Deitz | Mr. Gray | Mr. C. M'Kinstry | Mr. Speaker |
| Mr. Dewey | Mr. Heermance | Mr. M'Neil | Mr. Swart |
| Mr. De Witt | Mr. Hoag | Mr. Schuyler | Mr. Van Rensselaer |
| Mr. Doty | | | |

That the preamble of the ſaid bill was then read and is in the words following, viz. "Whereas it appears to the Legiſlature that Alexander Comrie, by virtue of an article of agreement dated the 19th day of October, in the year of our Lord one thouſand ſeven hundred and ſeventy-eight, made between him and Beriah Palmer, Eſq. then agent and attorney for Iſaac Low, did take actual poſſeſſion of, and make valuable improvements on lot No. 2, of the ſubdiviſion of lot No. 1, of the 21ſt allotment of the patent of Kayaderoſſeras, containing 200 acres, which ſame lot of land was afterwards confiſcated by the attainder of the ſaid Iſaac Low, and ſold by the commiſſioners of forfeitures for the weſtern diſtrict; ſo that the ſaid Alexander Comrie was deprived of his improvements and of the benefit of his ſaid contract, and the ſtate actually benefited by his labour."

That the queſtion having been put whether the committee did agree thereto, it was alſo carried in the affirmative.

That in proceeding to fill up the blank in the ſaid clauſe, Mr. Clark made a motion that the words "five hundred" ſhould be inſerted in the ſaid blank. That the queſtion having been put thereon, it paſſed in the negative.

That Mr. Swartwout then made a motion that the words "three hundred" ſhould be inſerted in the ſaid blank, and the queſtion having been put thereon, it alſo paſſed in the negative. That the yeas and nays were called for by Mr. John M. Smith, ſeconded by Mr. M'Intyre, and were as follows, viz.

*For the Negative.*

| | | | |
|---|---|---|---|
| Mr. Abeel | Mr. De Witt | Mr. Hopkins | Mr. Skidmore |
| Mr. Adams | Mr. Doty | Mr. Johnſon | Mr. John Smith |
| Mr. Adgate | Mr. Floyd | Mr. Landon | Mr. John M. Smith |
| Mr. Arcularius | Mr. Fort | Mr. C. Lanſingh | Mr. Joſhua Smith |
| Mr. Barker | Mr. Furman | Mr. J. Lanſingh | Mr. Philip Smith |
| Mr. Bill | Mr. German | Mr. Lefevre | Mr. Speaker |
| Mr. Burt | Mr. B. Gilbert | Mr. C. M'Kinſtry | Mr. Swart |
| Mr. Butler | Mr. E. Gilbert | Mr. M'Neil | Mr. Teed |
| Mr. Corl | Mr. Gray | Mr. Oſtrom | Mr. P. Ten Broeck |
| Mr. Deitz | Mr. Heermance | Mr. Peck | Mr. Thomas |
| Mr. Dewey | Mr. Hoag | Mr. Schuyler | Mr. Voorhis 44 |

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Mr. Adriance | Mr. Comſtock | Mr. W. Mott | Mr. A. Smith |
| Mr. Baldwin | Mr. Crocker | Mr. Nexen | Mr. H. Smith |
| Mr. Blake | Mr. Dodge | Mr. Paine | Mr. Snell |
| Mr. Boyd | Mr. Gates | Mr. Pauling | Mr. Swartwout |
| Mr. Burling | Mr. Hogeboom | Mr. Pearce | Mr. S. Ten Broeck |
| Mr. Carpenter | Mr. M'Intyre | Mr. Root | Mr. Veeder |
| Mr. Clark | Mr. J. M'Kinſtry | Mr. Savage | Mr. Weſtcott |
| Mr. Clift | Mr. Moore | Mr. Schuneman | Mr. Wolfe 34 |
| Mr. Coe | Mr. E. Mott | | |

That Mr. Swartwout then made a motion that the words "two hundred and ſeventy-five" ſhould be inſerted in the ſaid blank, and the queſtion having been put thereon, it was carried in the affirmative. That the yeas and nays were called for by Mr. Schuyler, ſeconded by Mr. Abeel, and were as follows, viz.

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Mr. Adriance | Mr. Crocker | Mr. W. Mott | Mr. A. Smith |
| Mr. Baldwin | Mr. Cummings | Mr. Nexen | Mr. H. Smith |
| Mr. Blake | Mr. Dodge | Mr. Paine | Mr. Snell |
| Mr. Boyd | Mr. Floyd | Mr. Pauling | Mr. Swartwout |
| Mr. Burling | Mr. Furman | Mr. Pearce | Mr. S. Ten Broeck |
| Mr. Carpenter | Mr. Gates | Mr. Robins | Mr. Thomas |
| Mr. Clark | Mr. Hogeboom | Mr. Root | Mr. Veeder |
| Mr. Clift | Mr. M'Intyre | Mr. Savage | Mr. Voorhis |
| Mr. Coe | Mr. J. M'Kinſtry | Mr. Schuneman | Mr. Weſtcott |
| Mr. Comſtock | Mr. Moore | Mr. Skidmore | Mr. Wolfe 43 |
| Mr. Corl | Mr. E. Mott | | |

*For the Negative.*

| | | | |
|---|---|---|---|
| Mr. Abeel | Mr. De Witt | Mr. Hopkins | Mr. Schermerhorn |
| Mr. Adams | Mr. Doty | Mr. Johnſon | Mr. Schuyler |
| Mr. Adgate | Mr. Fort | Mr. Landon | Mr. John Smith |
| Mr. Arcularius | Mr. French | Mr. C. Lanſingh | Mr. John M. Smith |
| Mr. Barker | Mr. German | Mr. J. Lanſingh | Mr. Joſhua Smith |
| Mr. Bill | Mr. B. Gilbert | Mr. Lefevre | Mr. Philip Smith |
| Mr. Burt | Mr. E. Gilbert | Mr. C. M'Kinſtry | Mr. Speaker |
| Mr. Butler | Mr. Gray | Mr. M'Neil | Mr. Swart |
| Mr. Deitz | Mr. Heermance | Mr. Oſtrom | Mr. Teed |
| Mr. Dewey | Mr. Hoag | Mr. Peck | Mr. P. Ten Broeck 40 |

That the words "two hundred and ſeventy-five" were accordingly written in the ſaid blank.

That the queſtion was then put whether the committee did agree to the whole bill, and it was carried in the affirmative. That the yeas and nays were called for by Mr. Speaker, ſeconded by Mr. Doty, and were as follows, viz.

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Mr. Arcularius | Mr. Corl | Mr. Moore | Mr. A. Smith |
| Mr. Baldwin | Mr. Crocker | Mr. E. Mott | Mr. H. Smith |
| Mr. Barker | Mr. Cummings | Mr. W. Mott | Mr. John Smith |
| Mr. Boyd | Mr. Dodge | Mr. Nexen | Mr. Snell |
| Mr. Burling | Mr. Floyd | Mr. Pauling | Mr. Swartwout |
| Mr. Burr | Mr. B. Gilbert | Mr. Pearce | Mr. S. Ten Broeck |
| Mr. Butler | Mr. E. Gilbert | Mr. Peck | Mr. Thomas |
| Mr. Carpenter | Mr. Hogeboom | Mr. Root | Mr. Veeder |
| Mr. Clark | Mr. Hopkins | Mr. Savage | Mr. Voorhis |
| Mr. Clift | Mr. M'Intyre | Mr. Schuneman | Mr. Weſtcott |
| Mr. Coe | Mr. J. M'Kinſtry | Mr. Skidmore | Mr. Wolfe 45 |
| Mr. Comſtock | | | |

*For the Negative.*

| | | | |
|---|---|---|---|
| Mr. Abeel | Mr. Fort | Mr. Landon | Mr. Schermerhorn |
| Mr. Adams | Mr. French | Mr. C. Lanſingh | Mr. Schuyler |
| Mr. Bill | Mr. Gates | Mr. J. Lanſingh | Mr. John M. Smith |
| Mr. Deitz | Mr. German | Mr. Lefevre | Mr. Joſhua Smith |
| Mr. Dewey | Mr. Gray | Mr. C. M'Kinſtry | Mr. Speaker |
| Mr. De Witt | Mr. Heermance | Mr. M'Neil | Mr. Swart |
| Mr. Doty | Mr. Johnſon | Mr. Oſtrom | Mr. Teed 38 |

That the committee had gone through the bill, made amendments and altered the title, that the altered title is "An act for the relief of Alexander Comrie," which he was directed to report to the Houſe, and he read the report in his place and delivered the bill in at the table, where it was again read and agreed to by the Houſe.

*Ordered*, That the bill be engroſſed.

*Ordered*, That Mr. Comſtock be added to the committee to whom ſundry petitions praying compenſation for paſt military ſervices have been referred.

Then the Houſe adjourned until eleven o'clock to-morrow morning.

FRIDAY, *eleven o'clock, A. M. February 15th*, 1799.

The bill entitled "An act concerning the ſtate priſon," was read the third time.

*Reſolved*, That the bill do paſs.

*Ordered*, That Mr. Nexen and Mr. Oſtrom deliver the bill to the Hon. the Senate, and inform them that this Houſe have paſſed the ſame without amendment.

The bill entittled "An act for the relief of Alexander Comrie," was read the third time: Thereupon,

*Ordered*, That the queſtion on the paſſing of the ſaid bill be poſtponed.

The bill entitled "An act to incorporate a part of Stephentown for the purpoſes therein mentioned," was read the ſecond time, and committed to a committee of the whole Houſe.

A petition of David Cady and others, inhabitants of the county of Montgomery, praying a grant of the timber ſaved from the wreck of the bridge heretofore built acroſs the Schoharry Creek, was read and referred to Mr. Fort, Mr. Gray and Mr. Coe.

Mr. Philip Smith from the committee appointed to inſpect what laws have expired or are near expiring, and to report which of them they judge neceſſary to be revived or continued, and likewiſe what new laws they ſhall conceive neceſſary to be made for the benefit of this ſtate, reported a bill entitled "An act for the payment of certain officers of government," which was read the firſt time and ordered a ſecond reading.

Mr. Shurtleff from the committee to whom was referred the petition of James Caldwell, reported, that by a law paſſed the 6th day of April, 1795, the Treaſurer was directed to advance on loan to the ſaid James Caldwell, a ſum not exceeding 8000l. for the purpoſe of carrying on his manufactures which were deſtroyed by fire, and which have proved of great uſefulneſs and importance to the community. That for payment of ſaid ſum the petitioner executed a bond and mortgage on unincumbered real property, which ſum is payable in the year 1801; that the intereſt on ſaid ſum is to be paid annually; that applications are daily making to the petitioner for the purchaſe of ſaid property, which by its proximity to market, and its advantageous ſituation, would doubtleſs enable the petitioner to receive at leaſt its full value, were it not incumbered by the mortgage aforeſaid. The petitioner prays that legiſlative proviſion may be made ſo as to enable him to diſpoſe of the ſame at public vendue or otherwiſe on or before the firſt day of September next, and upon ſuch terms as will preſerve to the ſtate every right which they poſſeſs in full force. The committee conceiving that by a compliance with the prayer of the petitioner, perhaps the whole of ſaid ſum may be almoſt as ſoon realized as in the preſent ſituation, and conſidering that the loan which gave riſe to the mortgage was evidently intended for the benefit and convenience of the petitioner, in return for the advantage derived from his enterprize in eſtabliſhing the manufactures, and aware that by the terms mentioned in the petition, a conſiderable ſum may be anticipated much earlier than by the preſent term of payment, are of opinion that the prayer of the petitioner ought to be granted. The committee have directed their chairman to aſk for leave to bring in a bill for that purpoſe.

*Ordered*, That leave be granted accordingly.

A meſſage from the Hon. the Senate, delivered by Mr. Bronk and Mr. Clark, with the bill therein mentioned, was read, that the Senate have paſſed the bill entitled "An act to incorporate the ſociety of the lying-in hoſpital of the city of New-York," to which they requeſt the concurrence of this Houſe. The ſaid bill was read the firſt time and ordered a ſecond reading.

Mr. J. Lanſingh from the committee to whom was committed the bill entitled "An act authorizing the Mayor, Aldermen and Commonalty of the city of Albany to raiſe a ſum by tax for defraying the expenſe of lighting the lamps and for the ſupport of a night watch in the ſaid city," reported, that the committee had gone through the bill and agreed to the ſame without amendment, which he was directed to report to the Houſe, and he read the report in his place, and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

*Ordered*, That the bill be engroſſed.

Mr. Burr in behalf of Mr. Hall, from the committee to whom was referred the petition of the Cayuga bridge company, reported, That it is in the opinion of the committee of great importance that the bridge contemplated by the ſaid act of incorporation be ſpeedily erected; that many lives have been loſt and very many frequently endangered in attempting the paſſage of the lake on the ice when the ferry is interrupted thereby. That by reaſon of the limitation of the charter of incorporation for the purpoſe of erecting the ſaid bridge, to 25 years, no perſon hath choſen to adventure any money in that enterpriſe. The committee have conferred with the directors of the ſaid company and with ſeveral other perſons, and have found reaſon to conclude that the object of the ſaid incorporation will be accompliſhed if the time of its duration be prolonged, and not otherwiſe; that in conſideration thereof a reduction in the rates of toll is propoſed. The committee are therefore of opinion that the ſaid company ſhould have leave to bring in a bill for thoſe purpoſes.

Leave being given, Mr. Burr brought in the ſaid bill entitled "An act to amend the act entitled "An act to incorporate the Cayuga Bridge Company," which was read the firſt time and ordered a ſecond reading.

A motion was then made that the Houſe ſhould reſolve itſelf into a committee of the whole Houſe on the meſſage of his Excellency the Governor of the 12th ult. and the reſolutions of the legiſlatures of Virginia and Kentucky which accompanied the ſaid meſſage. Mr. Speaker put the queſtion whether the Houſe did agree to the ſaid motion, and it was carried in the affirmative. The yeas and nays being called for by Mr. Burling, ſeconded by Mr. Baldwin, were as follows, viz.

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Mr. Abeel | Mr. Fort | Mr. J. Lanſingh | Mr. Reynolds |
| Mr. Adgate | Mr. French | Mr. Lefevre | Mr. Schermerhorn |
| Mr. Barker | Mr. Furman | Mr. C. M'Kinſtry | Mr. Schuyler |
| Mr. Bill | Mr. Gates | Mr. J. M'Kinſtry | Mr. Shurtleff |
| Mr. Boyd | Mr. B. Gilbert | Mr. M'Neil | Mr. John M. Smith |
| Mr. Butler | Mr. Gray | Mr. Micheau | Mr. Philip Smith |
| Mr. Campbell | Mr. Heermance | Mr. E. Mott | Mr. Swart |
| Mr. Clift | Mr. Henry | Mr. W. Mott | Mr. Teed |
| Mr. Cummings | Mr. Hoag | Mr. Oſtrom | Mr. P. Ten Broeck |
| Mr. Deitz | Mr. Hopkins | Mr. Paine | Mr. Van Renſelaer |
| Mr. Dewey | Mr. King | Mr. Pauling | Mr. Voorhis |
| Mr. De Witt | Mr. C. Lanſingh | Mr. Pearce | Mr. Williamſon 49 |
| Mr. Doty | | | |

*For the Negative.*

| | | | |
|---|---|---|---|
| Mr. Adams | Mr. Floyd | Mr. Peck | Mr. H. Smith |
| Mr. Adriance | Mr. German | Mr. Philips | Mr. John Smith |
| Mr. Arcularius | Mr. E. Gilbert | Mr. Prevoſt | Mr. Snell |
| Mr. Baldwin | Mr. Hogeboom | Mr. Robins | Mr. Storm |
| Mr. Blake | Mr. Honeywell | Mr. Root | Mr. S. Ten Broeck |
| Mr. Burling | Mr. Johnſon | Mr. Savage | Mr. Thomas |
| Mr. Burt | Mr. Landon | Mr. Schuneman | Mr. Veeder |
| Mr. Clark | Mr. M'Intyre | Mr. Skidmore | Mr. Weſtcott |
| Mr. Comſtock | Mr. Moore | Mr. A. Smith | Mr. Wolfe 38 |
| Mr. Dodge | Mr. Nexen | | |

Then the Houſe reſolved itſelf into a committee of the whole Houſe on the ſaid meſſage and reſolutions, and after ſome time ſpent thereon, Mr. Speaker reſumed the chair, and Mr. Baldwin from the ſaid committee, reported, that after the ſaid meſſage and reſolutions had been read, Mr. Shurtleff moved a reſolution which was read, and is in the words following, viz.

*Reſolved*, as the ſenſe of this committee, That the right of deciding on the conſtitutionality of all laws paſſed by the Congreſs of the United States, appertains to the judiciary department. That an aſſumption of that right by the legiſlatures of individual ſtates is unwarrantable, and has a direct tendency to deſtroy the independence of the general government; and that therefore this committee diſclaim the power which is aſſumed in and by the reſolutions of the reſpective legiſlatures of the ſtates of Kentucky and Virginia of the 16th day of November, and the 24th day of December laſt, of queſtioning in a legiſlative capacity either the expediency or conſtitutionality of the ſeveral acts therein referred to.

That Mr. Burr then made a motion that the committee ſhould agree to riſe, report progreſs and aſk for leave to ſit again. That debates were had thereon, and the queſtion having been put whether the committee did agree to the motion of Mr. Burr, it was carried in the affirmative. That the yeas and nays were called for by Mr. Comſtock, ſeconded by Mr. Adriance, and were as follows, viz.

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Mr. Adams | Mr. Corl | Mr. Moore | Mr. H. Smith |
| Mr. Adgate | Mr. Dodge | Mr. E. Mott | Mr. John Smith |
| Mr. Adriance | Mr. Floyd | Mr. Nexen | Mr. Joſhua Smith |
| Mr. Arcularius | Mr. German | Mr. Peck | Mr. Snell |
| Mr. Blake | Mr. E. Gilbert | Mr. Philips | Mr. Storm |
| Mr. Boyd | Mr. Hogeboom | Mr. Prevoſt | Mr. Swart |
| Mr. Burling | Mr. Honeywell | Mr. Robins | Mr. Swartwout |
| Mr. Burr | Mr. Hopkins | Mr. Root | Mr. S. Ten Broeck |
| Mr. Burt | Mr. Hunt | Mr. Savage | Mr. Thomas |
| Mr. Carpenter | Mr. Johnſon | Mr. Schuneman | Mr. Veeder |
| Mr. Clark | Mr. Landon | Mr. Skidmore | Mr. Weſtcott |
| Mr. Coe | Mr. M'Intyre | Mr. A. Smith | Mr. Wolfe 49 |
| Mr. Comſtock | | | |

*For the Negative.*

| | | | | |
|---|---|---|---|---|
| Mr. Abeel | Mr. Fort | Mr. Lefevre | Mr. Schermerhorn | |
| Mr. Barker | Mr. French | Mr. Lott | Mr. Schuyler | |
| Mr. Bill | Mr. Furman | Mr. C. M'Kinſtry | Mr. Shurtleff | |
| Mr. Butler | Mr. Gates | Mr. J. M'Kinſtry | Mr. John M. Smith | |
| Mr. Campbell | Mr. B. Gilbert | Mr. M'Neil | Mr. Philip Smith | |
| Mr. Clift | Mr. Gray | Mr. Micheau | Mr. Speaker | |
| Mr. Crocker | Mr. Heermance | Mr. W. Mott | Mr. Teed | |
| Mr. Cummings | Mr. Henry | Mr. Oſtrom | Mr. P. Ten Broeck | |
| Mr. Deitz | Mr. Hoag | Mr. Paine | Mr. Van Renſſelaer | |
| Mr. Dewey | Mr. King | Mr. Pauling | Mr. Voorhis | |
| Mr. De Witt | Mr. C. Lanſingh | Mr. Pearce | Mr. Williamſon | 47 |
| Mr. Doty | Mr. J. Lanſingh | Mr. Reynolds | | |

Which he was directed to report to the Houſe, and that he was alſo directed to aſk for leave to ſit again; Mr. Baldwin read the report in his place and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

*Ordered*, That the ſaid committee have leave to ſit again.

Mr. Burr then made a motion that the further conſideration of the ſaid meſſage of his Excellency the Governor, and the reſolutions accompanying the ſame be poſtponed until the firſt Tueſday in May next; debates aroſe on the ſaid motion, and Mr. Speaker having put the queſtion whether the Houſe did agree to the motion of Mr. Burr, the ſame paſſed in the negative. The yeas and nays being called for by Mr. Van Renſſelaer, ſeconded by Mr. Doty, were as follows, viz.

*For the Negative.*

| | | | | |
|---|---|---|---|---|
| Mr. Abeel | Mr. French | Mr. Lott | Mr. Root | |
| Mr. Barker | Mr. Furman | Mr. C. M'Kinſtry | Mr. Schermerhorn | |
| Mr. Bill | Mr. Gates | Mr. J. M'Kinſtry | Mr. Schuneman | |
| Mr. Burt | Mr. German | Mr. M'Neil | Mr. Schuyler | |
| Mr. Butler | Mr. B. Gilbert | Mr. Micheau | Mr. Shurtleff | |
| Mr. Campbell | Mr. Gray | Mr. E. Mott | Mr. John M. Smith | |
| Mr. Clift | Mr. Heermance | Mr. W. Mott | Mr. Philip Smith | |
| Mr. Crocker | Mr. Henry | Mr. Oſtrom | Mr. Swart | |
| Mr. Cummings | Mr. Hoag | Mr. Paine | Mr. Teed | |
| Mr. Deitz | Mr. Hopkins | Mr. Pauling | Mr. P. Ten Broeck | |
| Mr. Dewey | Mr. King | Mr. Pearce | Mr. Van Renſſelaer | |
| Mr. De Witt | Mr. C. Lanſingh | Mr. Peck | Mr. Voorhis | |
| Mr. Doty | Mr. J. Lanſingh | Mr. Reynolds | Mr. Williamſon | 54 |
| Mr. Fort | Mr. Lefevre | | | |

*For the Affirmative.*

| | | | | |
|---|---|---|---|---|
| Mr. Adams | Mr. Coe | Mr. M'Intyre | Mr. John Smith | |
| Mr. Adgate | Mr. Comſtock | Mr. Moore | Mr. Joſhua Smith | |
| Mr. Adriance | Mr. Corl | Mr. Nexen | Mr. Snell | |
| Mr. Arcularius | Mr. Dodge | Mr. Philips | Mr. Storm | |
| Mr. Baldwin | Mr. Floyd | Mr. Prevoſt | Mr. Swartwout | |
| Mr. Blake | Mr. E. Gilbert | Mr. Robins | Mr. S. Ten Broeck | |
| Mr. Boyd | Mr. Hogeboom | Mr. Savage | Mr. Thomas | |
| Mr. Burling | Mr. Honeywell | Mr. Skidmore | Mr. Veeder | |
| Mr. Burr | Mr. Hunt | Mr. A. Smith | Mr. Weſtcott | |
| Mr. Carpenter | Mr. Johnſon | Mr. H. Smith | Mr. Wolfe | 42 |
| Mr. Clark | Mr. Landon | | | |

Mr. Crocker then moved for a reſolution with a recital thereto in the words following, viz.

Whereas the reſolutions of the Legiſlatures of Virginia and Kentucky involve a conſtitutional queſtion which it is not expedient that this Houſe ſhould now take into conſideration; therefore,

*Reſolved*, That the committee of the whole Houſe be diſcharged from the further conſideration of the meſſage of his Excellency the Governor of the 12th ult. which accompanies the aforeſaid reſolutions.

Mr. King, as an amendment, moved a reſolution as a ſubſtitute in the room of the reſolution propoſed by the motion of Mr. Crocker, in the words following, viz.

*Reſolved*, as the ſenſe of this Houſe, that the right of deciding on the conſtitutionality of all laws paſſed by the Congreſs of the United States appertains to the judiciary department. That an aſſumption of that right by the Legiſlatures of indi-

vidual ſtates is unwarrantable, and has a direct tendency to deſtroy the indepen-
dence of the general government. And that therefore this Houſe diſclaim the
power which is aſſumed in and by the reſolutions of the reſpective Legiſlatures of
the ſtates of Kentucky and Virginia of the 16th day of November, and the 24th
day of December laſt, of queſtioning, in a legiſlative capacity, either the expedien-
cy or conſtitutionality of the ſeveral acts therein referred to, and that the committee
of the whole Houſe be diſcharged from any further conſideration of the meſſage of
his Excellency the Governor of the 12th January, and the reſolutions accompany-
ing the ſame.

That Mr. Swartwout, as a further amendment, moved a reſolution as a ſubſtitute
in the room of the ſeveral reſolutions propoſed by the motions of Mr. Crocker and
Mr. King, in the words following, viz.

*Reſolved*, as the ſenſe of this Houſe, that the committee of the whole Houſe be
diſcharged from the further conſideration of the meſſage of his Excellency the Go-
vernor of the 12th January, 1799.

A queſtion of order then aroſe on which of the laſt mentioned three motions the
queſtion ought firſt to be taken, and it was determined by Mr. Speaker that the firſt
queſtion in order would be upon the reſolution propoſed by the motion of Mr.
Swartwout.

Previous to Mr. Speaker's putting the queſtion on the ſaid reſolution propoſed by
the motion of Mr. Swartwout, Mr. Crocker made a motion for leave to withdraw the
reſolution and recital by him moved. Mr. Speaker put the queſtion on the motion
of Mr. Crocker, and it paſſed in the negative.

Mr. Speaker then put the queſtion on the reſolution propoſed by the motion of
Mr. Swartwout, and it paſſed in the negative. The yeas and nays being called for
by Mr. Swartwout, ſeconded by Mr. Root, were as follows, viz.

*For the Negative.*

| | | | |
|---|---|---|---|
| Mr. Abeel | Mr. French | Mr. Lefevre | Mr. Peck |
| Mr. Barker | Mr. Furman | Mr. Lott | Mr. Reynolds |
| Mr. Bill | Mr. Gates | Mr. C. M'Kinſtry | Mr. Schermerhorn |
| Mr. Butler | Mr. B. Gilbert | Mr. J. M'Kinſtry | Mr. Schuyler |
| Mr. Campbell | Mr. Gray | Mr. M'Neil | Mr. Shurtleff |
| Mr. Clift | Mr. Heermance | Mr. Micheau | Mr. John M. Smith |
| Mr. Crocker | Mr. Henry | Mr. E. Mott | Mr. Philip Smith |
| Mr. Cummings | Mr. Hoag | Mr. W. Mott | Mr. Teed |
| Mr. Deitz | Mr. Hopkins | Mr. Oſtrom | Mr. P. Ten Broeck |
| Mr. Dewey | Mr. King | Mr. Paine | Mr. Van Renſſelaer |
| Mr. De Witt | Mr. C. Lanſingh | Mr. Pauling | Mr. Voorhis |
| Mr. Doty | Mr. J. Lanſingh | Mr. Pearce | Mr. Williamſon 49 |
| Mr. Fort | | | |

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Mr. Adams | Mr. Coe | Mr. M'Intyre | Mr. H. Smith |
| Mr. Adgate | Mr. Comſtock | Mr. Moore | Mr. John Smith |
| Mr. Adriance | Mr. Dodge | Mr. Nexen | Mr. Joſhua Smith |
| Mr. Arcularius | Mr. Floyd | Mr. Philips | Mr. Snell |
| Mr. Baldwin | Mr. German | Mr. Prevoſt | Mr. Storm |
| Mr. Blake | Mr. E. Gilbert | Mr. Robins | Mr. Swartwout |
| Mr. Boyd | Mr. Hogeboom | Mr. Root | Mr. S. Ten Broeck |
| Mr. Burling | Mr. Honeywell | Mr. Savage | Mr. Thomas |
| Mr. Burr | Mr. Hunt | Mr. Schuneman | Mr. Veeder |
| Mr. Burt | Mr. Johnſon | Mr. Skidmore | Mr. Weſtcott |
| Mr. Carpenter | Mr Landon | Mr. A. Smith | Mr. Wolle 45 |
| Mr. Clark | | | |

The reſolution propoſed by the motion of Mr. King was then amended to read
as follows, viz.

Whereas it appears to this Houſe that the right of deciding on the conſtitutionali-
ty of all laws paſſed by the Congreſs of the United States appertains to the judiciary
department. That an aſſumption of that right by the Legiſlatures of individual
ſtates is unwarrantable, and has a direct tendency to deſtroy the independence of the
general government. And that therefore this Houſe diſclaim the power which is aſ-
ſumed in and by the reſolutions of the reſpective Legiſlatures of the ſtates of Ken-
tucky and Virginia of the 16th day of November and the 24th day of December laſt,

ueſtioning, in a legiſlative capacity, either the expediency or conſtitutionality he ſeveral acts therein referred to: Therefore,

*Reſolved*, That the committee of the whole Houſe be diſcharged from the further ideration of the meſſage of his Excellency the Governor of the 12th of January, the reſolutions accompanying the ſame.

he queſtion was then put on the ſaid reſolution without the recital, and it was ied in the affirmative.

A motion was then made that the Houſe ſhould adjourn, and the queſtion having n put thereon, it paſſed in the negative. The yeas and nays were called for by M'Neil, ſeconded by Mr. Henry, and were as follows, viz.

*For the Negative.*

| | | | | |
|---|---|---|---|---|
| Abeel | Mr. French | Mr. Lefevre | Mr. Reynolds | |
| Barker | Mr. Furman | Mr. Lott | Mr. Schermerhorn | |
| Bill | Mr. Gates | Mr. M'Intyre | Mr. Schuyler | |
| Butler | Mr. German | Mr. C. M'Kinſtry | Mr. Shurtleff | |
| Campbell | Mr. B. Gilbert | Mr. J. M'Kinſtry | Mr. John M. Smith | |
| Clift | Mr. Gray | Mr. M'Neil | Mr. Philip Smith | |
| Cummings | Mr. Heermance | Mr. Micheau | Mr. Teed | |
| Deitz | Mr. Henry | Mr. W. Mott | Mr. P. Ten Broeck | |
| Dewey | Mr. Hoag | Mr. Oſtrom | Mr. Van Renſſelaer | |
| De Witt | Mr. Hopkins | Mr. Paine | Mr. Voorhis | |
| Dodge | Mr. King | Mr. Pauling | Mr. Weſtcott | |
| Doty | Mr. C. Lanſingh | Mr. Pearce | Mr. Williamſon | 31 |
| Fort | Mr. J. Lanſingh | Mr. Peck | | |

*For the Affirmative.*

| | | | | |
|---|---|---|---|---|
| Adams | Mr. Clark | Mr. Moore | Mr. H. Smith | |
| Adgate | Mr. Coe | Mr. E. Mott | Mr. John Smith | |
| Adriance | Mr. Comſtock | Mr. Nexen | Mr. Joſhua Smith | |
| Arcularius | Mr. Crocker | Mr. Philips | Mr. Snell | |
| Baldwin | Mr. Floyd | Mr. Robins | Mr. Storm | |
| Blake | Mr. E. Gilbert | Mr. Root | Mr. Swartwout | |
| Boyd | Mr. Hogeboom | Mr. Savage | Mr. S. Ten Broeck | |
| Burling | Mr. Honeywell | Mr. Schuneman | Mr. Thomas | |
| Burr | Mr. Hunt | Mr. Skidmore | Mr. Veeder | |
| Burt | Mr. Johnſon | Mr. A. Smith | Mr. Wolfe | 42 |
| Carpenter | Mr. Landon | | | |

The recital to the reſolution propoſed by the motion of Mr. King was then again d, and debates were had thereon.

A motion was then again made that the Houſe ſhould adjourn, and the queſtion ing been put thereon, it paſſed in the negative. The yeas and nays being called by Mr. Swartwout, ſeconded by Mr. Root, were as follows, viz.

*For the Negative.*

| | | | | |
|---|---|---|---|---|
| Abeel | Mr. French | Mr. Lefevre | Mr. Reynolds | |
| Barker | Mr. Furman | Mr. Lott | Mr. Schermerhorn | |
| Bill | Mr. Gates | Mr. C. M'Kinſtry | Mr. Schuneman | |
| Butler | Mr. German | Mr. J. M'Kinſtry | Mr. Schuyler | |
| Campbell | Mr. B. Gilbert | Mr. M'Neil | Mr. Shurtleff | |
| Clift | Mr. Gray | Mr. Micheau | Mr. John M. Smith | |
| Cummings | Mr. Heermance | Mr. W. Mott | Mr. Philip Smith | |
| Deitz | Mr. Henry | Mr. Oſtrom | Mr. Teed | |
| Dewey | Mr. Hoag | Mr. Paine | Mr. P. Ten Broeck | |
| De Witt | Mr. King | Mr. Pauling | Mr. Van Renſſelaer | |
| Doty | Mr. C. Lanſingh | Mr. Pearce | Mr. Voorhis | |
| Fort | Mr. J. Lanſingh | Mr. Peck | Mr. Williamſon | 41 |

*For the Affirmative.*

| | | | | |
|---|---|---|---|---|
| Adams | Mr. Clark | Mr. Johnſon | Mr. John Smith | |
| Adgate | Mr. Coe | Mr. Landon | Mr. Joshua Smith | |
| Adriance | Mr. Comſtock | Mr. M'Intyre | Mr. Snell | |
| Arcularius | Mr. Crocker | Mr. Moore | Mr. Storm | |
| Baldwin | Mr. Dodge | Mr. Nexen | Mr. Swartwout | |
| Blake | Mr. Floyd | Mr. Robins | Mr. S. Ten Broeck | |
| Boyd | Mr. E. Gilbert | Mr. Root | Mr. Thomas | |
| Burling | Mr. Hogeboom | Mr. Savage | Mr. Veeder | |
| Burr | Mr. Honeywell | Mr. Skidmore | Mr. Weſtcott | |
| Burt | Mr. Hopkins | Mr. A. Smith | Mr. Wolfe | 43 |
| Carpenter | Mr. Hunt | Mr. H. Smith | | |

Mr. Root then made a motion that the further conſideration of the ſaid recital uld be poſtponed until the ſecond Tueſday in March next. Debates were had, the queſtion having been put thereon, it paſſed in the negative. The yeas and s being called for by Mr. Root, ſeconded by Mr. S. Ten Broeck, were as fol- s, viz.

*For the Negative.*

| | | | |
|---|---|---|---|
| Mr. Abeel | Mr. Fort | Mr. J. Lanſingh | Mr. Reynolds |
| Mr. Barker | Mr. French | Mr. Lefevre | Mr. Schermerhorn |
| Mr. Bill | Mr. Furman | Mr. Lott | Mr. Schuyler |
| Mr. Butler | Mr. Gates | Mr. C. M'Kinſtry | Mr. Shurtleff |
| Mr. Campbell | Mr. German | Mr. J. M'Kinſtry | Mr. John M. Smith |
| Mr. Clift | Mr. B. Gilbert | Mr. M'Neil | Mr. Philip Smith |
| Mr. Cummings | Mr. Gray | Mr. Micheau | Mr. Teed |
| Mr. Deitz | Mr. Heermance | Mr. W. Mott | Mr. P. Ten Broeck |
| Mr. Dewey | Mr. Henry | Mr. Oſtrom | Mr. Van Renſſelaer |
| Mr. De Witt | Mr. Hoag | Mr. Paine | Mr. Voorhis |
| Mr. Dodge | Mr. King | Mr. Pauling | Mr. Williamſon |
| Mr. Doty | Mr. C. Lanſingh | Mr. Pearce | |

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Mr. Adams | Mr. Comſtock | Mr. Moore | Mr. H. Smith |
| Mr. Adriance | Mr. Crocker | Mr. Nexen | Mr. John Smith |
| Mr. Arcularius | Mr. Floyd | Mr. Peck | Mr. Joſhua Smith |
| Mr. Baldwin | Mr. E. Gilbert | Mr. Philips | Mr. Snell |
| Mr. Blake | Mr. Hogeboom | Mr. Prevoſt | Mr. Storm |
| Mr. Boyd | Mr. Honeywell | Mr. Robins | Mr. Swartwout |
| Mr. Burling | Mr. Hopkins | Mr. Root | Mr. S. Ten Broeck |
| Mr. Burr | Mr. Hunt | Mr. Savage | Mr. Thomas |
| Mr. Burt | Mr. Johnſon | Mr. Schuneman | Mr. Veeder |
| Mr. Carpenter | Mr. Landon | Mr. Skidmore | Mr. Weſtcott |
| Mr. Clark | Mr. M'Intyre | Mr. A. Smith | Mr. Wolfe |
| Mr. Coe | | | |

A motion was then again made that the Houſe ſhould adjourn; and the queſti having been put thereon, it was carried in the affirmative.

Then the Houſe adjourned until eleven o'clock to-morrow morning.

SATURDAY, *eleven o'clock, A. M. February 16th*, 1799.

*Ordered*, That the conſideration of the queſtion on the paſſing of the engroſſ bill entitled "An act for the relief of Alexander Comrie" be further poſtponed u til Tueſday next.

The bill entitled "An act authoriſing the Mayor, Aldermen and Commonal of the city of Albany to order the raiſing monies by tax for defraying the expen of lighting the lamps, and for the ſupport of a night watch in the ſaid city," w read the third time.

*Reſolved*, That the bill do paſs.

*Ordered*, That Mr. Oſtrom and Mr. Paine deliver the bill to the Hon. the Sen and requeſt their concurrence.

The bill entitled "An act to incorporate the ſociety of the Lying-in Hoſpital the city of New-York," the bill entitled "An act for the payment of certain offic of government," and the bill entitled "An act to amend the act entitled "An a to incorporate the Cayuga Bridge Company," were ſeverally read the ſecond ti and committed to a committee of the whole Houſe.

A petition of Phineas Leach and others, relative to the timber ſaved from t wreck of a bridge heretofore erected acroſs the Schoharie creek, in the county Montgomery, was read and referred to Mr. Fort, Mr. Gray and Mr. Coe.

A petition of David Tomlinſon, of the city of Schenectady, relative to an or received by the late firm of Alexander and Tomlinſon from the Treaſurer of On rio county on the Treaſurer of this ſtate for the amount of ſchool money apportio ed to the ſaid county, was read and referred to Mr. Doty, Mr. Adriance and M Hopkins.

A petition of David Schauper, adminiſtrator of William Schauper, deceaſ praying a grant of bounty lands for the ſervices of the ſaid William Schau whilſt a ſoldier in the late American army; and a petition of William Lightha alſo praying a grant of bounty lands for military ſervices, were ſeverally read a referred to Mr. Comſtock, Mr. Clift, Mr. Pauling, Mr. Shurtleff and Mr. Hopki

Six petitions from the inhabitants of the town of Cattſkill, in the county Ulſter, praying a repeal of ſo much of the act entitled "An act for altering t bounds of the counties of Albany and Ulſter" as relates to the town of Cattſki and alſo praying a review of their former petition for erecting the towns there

mentioned into a ſeparate county; and five petitions of inhabitants of the ſouth part of the town of Coxſakie, and the towns of Freehold, Catſkill and Windham, in the counties of Albany and Ulſter, praying that the ſouth part of the town of Coxſakie and the town of Freehold may be annexed to the county of Ulſter, and that the court of common pleas may be alternately held at Kingſton and Catſkill, were ſeverally read and referred to the members attending this Houſe from the counties of Delaware, Chenango and Tioga.

A meſſage from his Excellency the Governor, delivered by his private ſecretary, was read, and is in the words following, viz.

GENTLEMEN,

The Chiefs and Warriors of St. Regis have, by their deputies now here, ſent me a meſſage which I herewith lay before you. They are deſirous that the lands reſerved to them by treaty ſhould be ſurveyed, and the lines and limits clearly aſcertained and marked.

This meaſure appears to me to be expedient and neceſſary to obviate doubts, and prevent diſputes relative to the true limits of thoſe reſerved tracts.

I therefore ſubmit to your conſideration, whether it would not be prudent to provide that this be done as early in the ſpring as may be proper and convenient.

*Albany, 16th February,* 1799. JOHN JAY.

*Ordered,* That the meſſage of his Excellency the Governor, and the papers accompanying the ſame, be committed to a committee of the whole Houſe.

The Surveyor-General, to whom was referred the petition of Conelius I. Bogert and Peter Bogert, reported, that John C. Stockholm, in September 1794, purchaſed at a public vendue of lands belonging to the ſtate, ſix of the hundred acre lots in the military tract, and paid one quarter of the purchaſe money. By a receipt of the Treaſurer it appears that the remainder was afterwards paid by Cornelius I. Bogert, which completed the documents to enable the commiſſioners of the land-office to cauſe letters patent to be iſſued to the purchaſer.

The petitioners alledge that the ſaid John C. Stockholm, the purchaſer, only acted as agent for others; but that he being in a foreign country they have not been able to obtain from him the neceſſary inſtrument to authorize the grant to be made to them; that the equitable right to ſaid lots of land is in the petitioners, and therefore they pray the interpoſition of the Legiſlature to enable them to receive letters patent for the ſame.

All which is reſpectfully ſubmitted.

SIMEON DE WITT, Surveyor-General.

*16th February,* 1799.

*Ordered,* That the ſaid report and petition be referred to Mr. Robins, Mr. Hogeboom and Mr. Waren.

Then the Houſe proceeded to the further conſideration of the recital which was yeſterday propoſed by the motion of Mr. King, to precede the reſolution then agreed to for diſcharging the committee of the whole Houſe from any further conſideration of the meſſage of his Excellency the Governor of the 12th ult. and the reſolutions of the Legiſlatures of Kentucky and Virginia accompanying the ſame.

Mr. Reynolds moved the previous queſtion on the motion of Mr. King, to wit, ſhall the main queſtion now be put? and it was carried in the affirmative. The yeas and nays being called for by Mr. Adriance, ſeconded by Mr. Burling, were as follows, viz.

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Mr. Abeel | Mr. French | Mr. J. Lanſingh | Mr. Peck |
| Mr. Barker | Mr. Furman | Mr. Lefevre | Mr. Reynolds |
| Mr. Bill | Mr. Gates | Mr. Lott | Mr. Schermerhorn |
| Mr. Butler | Mr. German | Mr. C. M'Kinſtry | Mr. Schuyler |
| Mr. Campbell | Mr. B. Gilbert | Mr. J. M'Kinſtry | Mr. Shurtleff |
| Mr. Clift | Mr. Gray | Mr. M'Neil | Mr. John M. Smith |
| Mr. Cummings | Mr. Hall | Mr. Micheau | Mr. Philip Smith |
| Mr. Deitz | Mr. Heermance | Mr. E. Mott | Mr. Swart |
| Mr. Dewey | Mr. Henry | Mr. W. Mott | Mr. Teed |
| Mr. De Witt | Mr. Hoag | Mr. Oſtrom | Mr. P. Ten Broeck |
| Mr. Dodge | Mr. Hopkins | Mr. Paine | Mr. Van Renſſelaer |
| Mr. Doty | Mr. King | Mr. Pauling | Mr. Voorhis 51 |
| Mr. Fort | Mr. C. Lanſingh | Mr. Pearce | |

*For the Negative.*

| | | | |
|---|---|---|---|
| Mr. Adams | Mr. Clark | Mr. Lee | Mr. H. Smith |
| Mr. Adgate | Mr. Coe | Mr. M'Intyre | Mr. John Smith |
| Mr. Adriance | Mr. Comstock | Mr. Moore | Mr. Joshua Smith |
| Mr. Arcularius | Mr. Crocker | Mr. Nexen | Mr. Snell |
| Mr. Baldwin | Mr. Floyd | Mr. Philips | Mr. Storm |
| Mr. Blake | Mr. E. Gilbert | Mr. Robins | Mr. Swartwout |
| Mr. Boyd | Mr. Hogeboom | Mr. Root | Mr. S. Ten Broeck |
| Mr. Burling | Mr. Honeywell | Mr. Savage | Mr. Thomas |
| Mr. Burr | Mr. Hunt | Mr. Schuneman | Mr. Veeder |
| Mr. Burt | Mr. Johnson | Mr. Skidmore | Mr. Westcott |
| Mr. Carpenter | Mr. Landon | Mr. A. Smith | Mr. Wolfe 41 |

Mr. Burr as an amendment to the motion of Mr. King, then moved a recital to precede the recital proposed by the motion of Mr. King in the words following, viz.

"Whereas the citizens of this state and their representatives in Assembly have a right either individually or collectively to express their opinions respecting any act of the Congress of the United States or any other public measure, and"

Mr. Gray moved the previous question on the motion of Mr. Burr, and it passed in the negative. The yeas and nays being called for by Mr. Schuneman, seconded by Mr. Adriance, were as follows, viz.

*For the Negative.*

| | | | |
|---|---|---|---|
| Mr. Abeel | Mr. Fort | Mr. J. Lansingh | Mr. Pearce |
| Mr. Adgate | Mr. French | Mr. Lefevre | Mr. Reynolds |
| Mr. Barker | Mr. Furman | Mr. Lott | Mr. Schermerhorn |
| Mr. Bill | Mr. Gates | Mr. C. M'Kinstry | Mr. Schuyler |
| Mr. Butler | Mr. German | Mr. J. M'Kinstry | Mr. Shurtleff |
| Mr. Campbell | Mr. R. Gilbert | Mr. M'Neil | Mr. John M. Smith |
| Mr. Clift | Mr. Gray | Mr. Micheau | Mr. Philip Smith |
| Mr. Crocker | Mr. Hall | Mr. E. Mott | Mr. Swart |
| Mr. Cummings | Mr. Heermance | Mr. W. Mott | Mr. Teed |
| Mr. Deitz | Mr. Henry | Mr. Ofinan | Mr. P. Ten Broeck |
| Mr. Dewey | Mr. Hoag | Mr. Paine | Mr. Van Rensselaer |
| Mr. De Witt | Mr. King | Mr. Pauling | Mr. Voorhis 50 |
| Mr. Doty | Mr. C. Lansingh | | |

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Mr. Adams | Mr. Coe | Mr. M'Intyre | Mr. John Smith |
| Mr. Adriance | Mr. Comstock | Mr. Moore | Mr. Joshua Smith |
| Mr. Arcularius | Mr. Floyd | Mr. Nexen | Mr. Snell |
| Mr. Baldwin | Mr. E. Gilbert | Mr. Peck | Mr. Storm |
| Mr. Blake | Mr. Hogeboom | Mr. Robins | Mr. Swartwout |
| Mr. Boyd | Mr. Honeywell | Mr. Root | Mr. S. Ten Broeck |
| Mr. Burling | Mr. Hopkins | Mr. Savage | Mr. Thomas |
| Mr. Burr | Mr. Hunt | Mr. Schuneman | Mr. Veeder |
| Mr. Burt | Mr. Johnson | Mr. Skidmore | Mr. Westcott |
| Mr. Carpenter | Mr. Landon | Mr. A. Smith | Mr. Wolfe 43 |
| Mr. Clark | Mr. Lee | Mr. H. Smith | |

Mr. Root as an amendment then made a motion to expunge the whole of the said recital from the word "Whereas" in the first line, and to substitute the following, viz.

"It appears to this House that the right of expressing an opinion on the constitutionality of all laws passed by the Congress of the United States, appertains not only to the judiciary department but also to the people, both as private individuals and as legislators; and whereas this House disclaims the servile idea, that they cannot with propriety adopt resolutions applauding or disapproving the acts of our National Legislature or of our general government; but that this House cannot but entertain this flattering idea, that the representatives of a great, free and enlightened nation will during their present session, perceive that the laws commonly known by the names of the alien and sedition laws are unconstitutional, impolitic and contrary to the dearest interests of freemen, and consequently that they will without the solicitation of this House immediately repeal the same: Therefore,"

Mr. Speaker put the question on the motion of Mr. Root, and it passed in the negative. The yeas and nays being called for by Mr. Root, seconded by Mr. Westcott, were as follows, viz.

*For the Negative.*

| | | | | |
|---|---|---|---|---|
| Mr. Abeel | Mr. Fort | Mr. Lee | Mr. Reynolds | |
| Mr. Adgate | Mr. French | Mr. Lefevre | Mr. Schermerhorn | |
| Mr. Barker | Mr. Furman | Mr. Lott | Mr. Schuyler | |
| Mr. Bill | Mr. Gates | Mr. M'Intyre | Mr. Shurtleff | |
| Mr. Boyd | Mr. German | Mr. C. M'Kinftry | Mr. John M. Smith | |
| Mr. Butler | Mr. B. Gilbert | Mr. J. M'Kinftry | Mr. Philip Smith | |
| Mr. Campbell | Mr. Gray | Mr. M'Neil | Mr. Saell | |
| Mr. Clift | Mr. Hall | Mr. Micheau | Mr. Swart | |
| Mr. Crocker | Mr. Heermance | Mr. E. Mott | Mr. Teed | |
| Mr. Cummings | Mr. Henry | Mr. W. Mott | Mr. P. Ten Broeck | |
| Mr. Deitz | Mr. Hoag | Mr. Oftrom | Mr. Thomas | |
| Mr. Dewey | Mr. Hopkins | Mr. Paine | Mr. Van Renffelaer | |
| Mr. De Witt | Mr. King | Mr. Pauling | Mr. Veeder | |
| Mr. Dodge | Mr. C. Lanfingh | Mr. Pearce | Mr. Voorhis | 58 |
| Mr. Doty | Mr. J. Lanfingh | | | |

*For the Affirmative.*

| | | | | |
|---|---|---|---|---|
| Mr. Adams | Mr. Coe | Mr. Morse | Mr. A. Smith | |
| Mr. Adriance | Mr. Comftock | Mr. Nexsen | Mr. H. Smith | |
| Mr. Arcularius | Mr. Floyd | Mr. Peck | Mr. John Smith | |
| Mr. Baldwin | Mr. E. Gilbert | Mr. Robins | Mr. Storm | |
| Mr. Blake | Mr. Hogeboom | Mr. Rout | Mr. Swartwout | |
| Mr. Burling | Mr. Honeywell | Mr. Savage | Mr. S. Ten Broeck | |
| Mr. Burr | Mr. Hunt | Mr. Schoonman | Mr. Weftcott | |
| Mr. Burt | Mr. Johnfon | Mr. Skidmore | Mr. Wolfe | 34 |
| Mr. Clark | Mr Landon | | | |

Mr. Swartwout then made a motion to fubftitute the following in lieu of the recital propofed by the motion of Mr. King, viz.

Whereas the citizens of this ftate and their repreſentatives in Aſſembly have a right either individually or collectively to expreſs their opinions reſpecting any act of the Congreſs of the United States, or any other public meaſure; and whereas the conſtitution of the United States hath delegated to Congreſs a power to puniſh treaſon, counterfeiting the ſecurities and current coin of the United States, piracies and felonies committed on the high ſeas, and offences againſt the laws of nations, and no other crimes; and whereas the ſame conſtitution hath declared "that the powers not delegated to the United States by the conſtitution, nor prohibited by it to the ſtates, are reſerved to the ſtates reſpectively or to the people;" and "that Congreſs ſhall make no law reſpecting an eſtabliſhment of religion, or prohibiting the free exerciſe thereof, or abridging the freedom of ſpeech, or of the preſs;" and whereas it is manifeſt from the aforeſaid articles of the conſtitution, that the people did determine to retain to themſelves or to their reſpective ſtates the excluſive right of judging how far the licentiouſneſs of ſpeech and of the preſs might be abridged without leſſening their uſeful freedom; and whereas the act of Congreſs in addition to the act entitled "An act for the puniſhment of certain crimes againſt the United States," doth abridge the freedom of ſpeech and of the preſs, and hath excited great uneaſineſs and diſſatisfaction in the minds of many of the good people of this ſtate; and whereas in the opinion of this Houſe the ſaid act of Congreſs of the United States, commonly called the ſedition act, is impolitic and unneceſſary, and that the conſtitution of the United States does not veſt in Congreſs any authority to paſs the ſaid act.

Mr. Speaker put the queſtion on the ſaid motion of Mr. Swartwout, and it paſſed in the negative. The yeas and nays being called for by Mr. Swartwout, ſeconded by Mr. Van Renſſelaer, were as follows, viz.

*For the Negative.*

| | | | | |
|---|---|---|---|---|
| Mr. Abeel | Mr. Doty | Mr. C. Lanfingh | Mr. Pauling | |
| Mr. Adgate | Mr. Fort | Mr. J. Lanfingh | Mr. Pearce | |
| Mr. Barker | Mr. French | Mr. Lee | Mr. Reynolds | |
| Mr. Bill | Mr. Furman | Mr. Lefevre | Mr. Schermerhorn | |
| Mr. Butler | Mr. Gates | Mr. Lott | Mr. Schuyler | |
| Mr. Campbell | Mr. B. Gilbert | Mr. C. M'Kinftry | Mr. Shurtleff | |
| Mr. Clift | Mr. Gray | Mr. J. M'Kinftry | Mr. John M. Smith | |
| Mr. Crocker | Mr. Hall | Mr. M'Neil | Mr. Philip Smith | |
| Mr. Cummings | Mr. Heermance | Mr. Micheau | Mr. Swart | |
| Mr. Deitz | Mr. Henry | Mr. E. Mott | Mr. Teel | |
| Mr. Dewey | Mr. Hoag | Mr. W. Mott | Mr. P. Ten Broeck | |
| Mr. De Witt | Mr. Hopkins | Mr. Oftrom | Mr. Van Renſſelaer | |
| Mr. Dodge | Mr. King | Mr. Paine | Mr. Voorhis | |

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Mr. Adams | Mr. Comſtock | Mr. Nexen | Mr. John Smith |
| Mr. Adriance | Mr. Floyd | Mr. Peck | Mr. Joſhua Smith |
| Mr. Arcularius | Mr. German | Mr. Philips | Mr. Snell |
| Mr. Baldwin | Mr. E. Gilbert | Mr. Robins | Mr. Storm |
| Mr. Blake | Mr. Hogeboom | Mr. Root | Mr. Swartwout |
| Mr. Boyd | Mr. Honeywell | Mr. Savage | Mr. S. Ten Broeck |
| Mr. Burling | Mr. Hunt | Mr. Schuneman | Mr. Thomas |
| Mr. Burr | Mr. Johnſon | Mr. Skidmore | Mr. Veeder |
| Mr. Burt | Mr. Landon | Mr. A. Smith | Mr. Weſtcott |
| Mr. Clark | Mr. Moore | Mr. H. Smith | Mr. Wolfe |
| Mr. Coe | | | 40 |

Mr. Swartwout then made a motion to ſubſtitute the following in lieu of the ſaid recital propoſed by the motion of Mr. King, viz.

And whereas by the conſtitution of the United States it is alſo declared that "the migration of ſuch perſons as any of the ſtates then exiſting ſhould think proper to admit, ſhould not be prohibited by Congreſs prior to the year 1808;" and whereas the laws and policy of this ſtate do admit and encourage the migration of aliens, whereby the perſons ſo migrating do become entitled to the protection of law, and the trial by jury; and whereas by an act of the Congreſs of the United States, paſſed the 22d June, 1798, all aliens not actually naturalized, are declared liable to be baniſhed at the will of the Preſident, without trial or indictment; and whereas the act laſt mentioned is in the opinion of this Houſe impolitic, and that it is contrary to the ſenſe which this Houſe entertain of the conſtitution of the United States.

Mr. Speaker put the queſtion on the ſaid laſt mentioned motion of Mr. Swartwout, and it alſo paſſed in the negative. The yeas and nays being called for by Mr. Swartwout, ſeconded by Mr. Root, were as follows, viz.

*For the Negative.*

| | | | |
|---|---|---|---|
| Mr. Abeel | Mr. Fort | Mr. C. Lanſingh | Mr. Pearce |
| Mr. Adgate | Mr. French | Mr. J. Lanſingh | Mr. Philips |
| Mr. Barker | Mr. Furman | Mr. Lee | Mr. Reynolds |
| Mr. Bill | Mr. Gates | Mr. Lefevre | Mr. Schermerhorn |
| Mr. Butler | Mr. German | Mr. Lott | Mr. Schuyler |
| Mr. Campbell | Mr. B. Gilbert | Mr. C. M'Kinſtry | Mr. Shurtleff |
| Mr. Clift | Mr. Gray | Mr. J. M'Kinſtry | Mr. John M. Smith |
| Mr. Crocker | Mr. Hall | Mr. Micheau | Mr. Philip Smith |
| Mr. Cummings | Mr. Heermance | Mr. E. Mott | Mr. Swart |
| Mr. Deitz | Mr. Henry | Mr. W. Mott | Mr. Teed |
| Mr. Dewey | Mr. Hoag | Mr. Oſtrom | Mr. P. Ten Broeck |
| Mr. De Witt | Mr. Hopkins | Mr. Paine | Mr. Van Renſelaer |
| Mr. Dodge | Mr. King | Mr. Pauling | Mr. Voorhis |
| Mr. Doty | | | 53 |

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Mr. Adams | Mr. Coe | Mr. Nexen | Mr. Joſhua Smith |
| Mr. Adriance | Mr. Comſtock | Mr. Peck | Mr. Snell |
| Mr. Arcularius | Mr. Floyd | Mr. Robins | Mr. Storm |
| Mr. Baldwin | Mr. E. Gilbert | Mr. Root | Mr. Swartwout |
| Mr. Blake | Mr. Hogeboom | Mr. Savage | Mr. S. Ten Broeck |
| Mr. Boyd | Mr. Honeywell | Mr. Schuneman | Mr. Thomas |
| Mr. Burling | Mr. Hunt | Mr. Skidmore | Mr. Veeder |
| Mr. Burr | Mr. Johnſon | Mr. A. Smith | Mr. Weſtcott |
| Mr. Burt | Mr. Landon | Mr. H. Smith | Mr. Wolfe |
| Mr. Clark | Mr. Moore | Mr. John Smith | 39 |

Mr. Speaker then put the queſtion on the motion of Mr. King as amended, and it was carried in the affirmative. The yeas and nays being called for by Mr. Dewey, ſeconded by Mr. Van Renſſelaer, were as follows, viz.

*For the Affirmative.*

| | | | | |
|---|---|---|---|---|
| r. Abeel | Mr. French | Mr. J. Lanſingh | Mr. Philips | 1 |
| r. Barker | Mr. Furman | Mr. Lott | Mr. Reynolds | |
| r. Bill | Mr. Gates | Mr. C. M'Kinſtry | Mr. Schermerhorn | |
| r. Butler | Mr. German | Mr. J. M'Kinſtry | Mr. Schuyler | |
| r. Campbell | Mr. B. Gilbert | Mr. M'Neil | Mr. Shurtleff | |
| r. Clift | Mr. Gray | Mr. Micheau | Mr. John M. Smith | |
| r. Cummings | Mr. Hall | Mr. E. Mott | Mr. Philip Smith | |
| r. Deitz | Mr. Heermance | Mr. W. Mott | Mr. Swart | |
| r. Dewey | Mr. Henry | Mr. Oſtrom | Mr. Teed | |
| r. De Witt | Mr. Hoag | Mr. Paine | Mr. P. Ten Broeck | |
| r. Dodge | Mr. Hopkins | Mr. Pauling | Mr. Van Renſelaer | |
| r. Doty | Mr. King | Mr. Pearce | Mr. Voorhis | 50 |
| r. Fort | Mr. C. Lanſingh | | | |

*For the Negative.*

| | | | | |
|---|---|---|---|---|
| r. Adams | Mr. Coe | Mr. Lefevre | Mr. John Smith | |
| r. Adgate | Mr. Comſtock | Mr. Moore | Mr. Joshua Smith | |
| r. Adriance | Mr. Crocker | Mr. Nexen | Mr. Snell | |
| r. Arcularius | Mr. Floyd | Mr. Peck | Mr. Storm | |
| r. Baldwin | Mr. E. Gilbert | Mr. Robins | Mr. Swartwout | |
| r. Blake | Mr. Hogeboom | Mr. Root | Mr. S. Ten Broeck | |
| r. Boyd | Mr. Honeywell | Mr. Savage | Mr. Thomas | |
| r. Burling | Mr. Hunt | Mr. Schuneman | Mr. Veeder | |
| r. Burr | Mr. Johnſon | Mr. Skidmore | Mr. Weſtcott | |
| r. Burt | Mr. Landon | Mr. A. Smith | Mr. Wolfe | 43 |
| r. Clark | Mr. Lee | Mr. H. Smith | | |

The ſaid recitals and the reſolution as amended and agreed to by the Houſe, is n the words following, viz.

Whereas it appears to this Houſe, that the right of deciding on the conſtitutionlity of all laws paſſed by the Congreſs of the United States appertains to the juiciary department; and whereas an aſſumption of that right by the legiſlatures of ndividual ſtates is unwarrantable, and has a direct tendency to deſtroy the indeendence of the general government. And whereas this Houſe diſclaim the power hich is aſſumed in and by the reſolutions of the reſpective Legiſlatures of Kenucky and Virginia of the 16th November and the 24th day of December laſt, of ueſtioning in a legiſlative capacity, either the expediency or conſtitutionality of he ſeveral acts therein referred to. Therefore,

*Reſolved*, That the committee of the whole Houſe be diſcharged from any furher conſideration of the meſſage of his Excellency the Governor of the 12th day f January laſt and the ſaid reſolutions which accompanied the ſame.

*Ordered*, That Mr. Burr have leave of abſence for ten days, and that Mr. King ave leave of abſence for eight days.

Then the Houſe adjourned until eleven o'clock on Monday morning next.

MONDAY, *eleven o'clock, A. M. February 18th*, 1799.

Three petitions from inhabitants of the towns of Freehold, Cattſkill, the ſouth art of the town of Coxſakie, and Windham, in the counties of Albany and Ulſter, elative to the erecting of a new county, were read and referred to the members ttending this Houſe from the counties of Delaware, Chenango and Tioga.

Two petitions from inhabitants of the county of Onondaga, praying that the lace for holding the courts in the ſaid county may be eſtabliſhed by law at the ayuga ferry, was read and committed to the committee of the whole Houſe when n the bill for erecting a part of the ſaid county of Onondaga into a ſeparate county.

A petition of Benjamin Jones and others, inhabitants of the town of Jericho, raying to be annexed to the town of Greene, was read and referred to Mr. Honeell, Mr. Deitz and Mr. German.

Mr. Henry from the committee to whom was referred the petition of Sarah Scudr, late widow of Joſeph Crane, reported, that from the vouchers accompanying e petition, they believe the facts ſtated therein to be true, and are of opinion that e petitioner is entitled to relief; that the committee have prepared a bill for ch purpoſe, and have directed him to move for leave to bring in the ſame. Leave ing given, Mr. Henry brought in the ſaid bill entitled "An act for the relief of e repreſentatives of Joſeph Crane, deceaſed," which was read the firſt time and dered a ſecond reading.

Mr. Reynolds, purſuant to notice by him for that purpoſe heretofore given, oved for and obtained leave to bring in a bill entitled "An act to amend the act titled "An act to regulate the practice of phyſic and ſurgery in this ſtate," which as read the firſt time and ordered a ſecond reading.

Mr. Deitz from the committee to whom were referred the petitions of John Fra-
zer, and of David Warner, Daniel Miller and George Warner, reported, that
fully appears by ſundry documents accompanying the petition of the ſaid Joh
Frazer, that he purchaſed the poſſeſſion of an improvement made on the land
him prayed for, which coſt him about 250 dollars; that he now lives on the ſame
that the Surveyor-General has informed the committee that the ſaid land is th
property of the people of this ſtate. Whereupon it is the opinion of the commit-
tee that the prayer of the ſaid John Frazer ought to be granted, and that therefo
the prayer of the petition of the ſaid Daniel Miller and others, who have praye
for a grant of the ſame land, ought not to be granted; that the committee hav
prepared a bill granting the land prayed for to the ſaid John Frazer, and have di
rected their chairman to aſk for leave to bring in the ſame.

*Reſolved*, That this Houſe do concur with the committee in their ſaid report.

*Ordered*, That leave be given to bring in the ſaid bill.

Mr. Deitz, according to leave, brought in the ſaid bill entitled "An act to gra
the land therein mentioned to John Frazer," which was read the firſt time and or
dered a ſecond reading.

Mr. Philip Smith made a motion for a reſolution in the words following, viz.

*Reſolved*, That his Excellency the Governor be, and he is hereby requeſted t
tranſmit copies of the reſolutions of this Houſe relative to the communications fro
the Legiſlatures of the ſtates of Kentucky and Virginia reſpecting the alien and ſe
dition laws, to the Executives of thoſe ſtates.

Mr. Swartwout, as an amendment, made a motion to add the following to the ſai
reſolution, viz.

Alſo to tranſmit a copy of the deciſion of this Houſe on the reſolution from th
ſtate of Maſſachuſetts, to the Executive thereof. Debates were had, and the que
tion having been put thereon, it was carried in the affirmative. The yeas and nay
were called for by Mr. Boyd, ſeconded by Mr. Robins, and were as follows, viz.

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Mr. Adams | Mr. Clark | Mr. Landon | Mr. A. Smith |
| Mr. Adgate | Mr. Coe | Mr. M'Intyre | Mr. H. Smith |
| Mr. Adriance | Mr. Comſtock | Mr. Moore | Mr. John Smith |
| Mr. Arcularius | Mr. Corl | Mr. E. Mott | Mr. Joſhua Smith |
| Mr. Baldwin | Mr. Floyd | Mr. Nexen | Mr. Snell |
| Mr. Blake | Mr. E. Gilbert | Mr. Peck | Mr. Storm |
| Mr. Boyd | Mr. Hogeboom | Mr. Robins | Mr. Swartwout |
| Mr. Bruyn | Mr. Honeywell | Mr. Root | Mr. Thomas |
| Mr. Burling | Mr. Hopkins | Mr. Savage | Mr. Veeder |
| Mr. Burt | Mr. Hunt | Mr. Schuneman | Mr. Weſtcott |
| Mr. Carpenter | Mr. Johnſon | Mr. Skidmore | Mr. Wolfe |

*For the Negative.*

| | | | |
|---|---|---|---|
| Mr. Abeel | Mr. Fort | Mr. Lott | Mr. Reynolds |
| Mr. Barker | Mr. French | Mr. C. M'Kinſtry | Mr. Schermerhorn |
| Mr. Bill | Mr. Gates | Mr. J. M'Kinſtry | Mr. Schuyler |
| Mr. Butler | Mr. German | Mr. M'Neil | Mr. John M. Smith |
| Mr. Campbell | Mr. B. Gilbert | Mr. Micheau | Mr. Philip Smith |
| Mr. Clift | Mr. Henry | Mr. W. Mott | Mr. Swart |
| Mr. Cummings | Mr. Hoag | Mr. Oſtrom | Mr. Teed |
| Mr. Deitz | Mr. Kane | Mr. Paine | Mr. Van Renſſelaer |
| Mr. De Witt | Mr. J. Lanſingh | Mr. Pauling | Mr. Voorhis |
| Mr. Dewey | Mr. Lefevre | Mr. Pearce | |

Mr. Comſtock then made a motion that the words "with the yeas and nays
ſhould be inſerted after the words reſolutions, in the third line. Mr. Speaker pu
the queſtion on the ſaid motion, and it was carried in the affirmative. The yea
and nays being called for by Mr. Swartwout, ſeconded by Mr. Robins, were as fo
lows, viz.

*For the Affirmative.*

| | | | | |
|---|---|---|---|---|
| r. Adams | Mr. Dewey | Mr. M'Intyre | Mr. Skidmore | |
| r. Adgate | Mr. De Witt | Mr. J. M'Kinſtry | Mr. A. Smith | |
| r. Adriance | Mr. Floyd | Mr. M'Neil | Mr. H. Smith | |
| r. Arcularius | Mr. Fort | Mr. Micheau | Mr. John Smith | |
| r. Baldwin | Mr. French | Mr. Moore | Mr. Joſhua Smith | |
| r. Blake | Mr. Gates | Mr. E. Mott | Mr. Snell | |
| r. Boyd | Mr. German | Mr. W. Mott | Mr. Storm | |
| r. Bruyn | Mr. B. Gilbert | Mr. Nexen | Mr. Swart | |
| r. Burling | Mr. E. Gilbert | Mr. Oſtrom | Mr. Swartwout | |
| r. Burt | Mr. Hogeboom | Mr. Pauling | Mr. Teed | |
| r. Butler | Mr. Honeywell | Mr. Peck | Mr. Thomas | |
| r. Carpenter | Mr. Hopkins | Mr. Robins | Mr. Van Renſſelaer | |
| r. Clark | Mr. Hunt | Mr. Root | Mr. Veeder | |
| r. Clift | Mr. Johnſon | Mr. Savage | Mr. Voorhis | |
| r. Coe | Mr. Landon | Mr. Schermerhorn | Mr. Weſtcott | |
| r. Comſtock | Mr. J. Lanſingh | Mr. Schuneman | Mr. Wolfe | 66 |
| r. Corl | Mr. Lefevre | | | |

*For the Negative.*

| | | | | |
|---|---|---|---|---|
| r. Abeel | Mr. Deitz | Mr. C. M'Kinſtry | Mr. Schuyler | |
| r. Barker | Mr. Heermance | Mr. Paine | Mr. Shurtleff | |
| r. Bill | Mr. Henry | Mr. Pearce | Mr. John M. Smith | |
| r. Campbell | Mr. Hoag | Mr. Reynolds | Mr. Philip Smith | 18 |
| r. Cummings | Mr. Kane | | | |

Mr. Speaker then put the queſtion on the ſaid reſolution as amended, and it as carried in the affirmative. The yeas and nays being called for by Mr. Swartout, ſeconded by Mr. Henry, were as follows, viz.

*For the Affirmative.*

| | | | | |
|---|---|---|---|---|
| r. Abeel | Mr. Fort | Mr. Lefevre | Mr. Schermerhorn | |
| r. Adgate | Mr. French | Mr. Lott | Mr. Schuneman | |
| r. Barker | Mr. Gates | Mr. C. M'Kinſtry | Mr. Schuyler | |
| r. Bill | Mr. German | Mr. J. M'Kinſtry | Mr. Shurtleff | |
| r. Butler | Mr. B. Gilbert | Mr. M'Neil | Mr. John M. Smith | |
| r. Campbell | Mr. E. Gilbert | Mr. W. Mott | Mr. Philip Smith | |
| r. Clark | Mr. Heermance | Mr. Oſtrom | Mr. Swart | |
| r. Clift | Mr. Henry | Mr. Paine | Mr. Teed | |
| r. Cummings | Mr. Hoag | Mr. Pauling | Mr. Thomas | |
| r. Deitz | Mr. Hopkins | Mr. Pearce | Mr. Van Renſſelaer | |
| r. Dewey | Mr. Kane | Mr. Peck | Mr. Veeder | |
| r. De Witt | Mr. C. Lanſingh | Mr. Reynolds | Mr. Voorhis | |
| r. Doty | Mr. J. Lanſingh | Mr. Savage | Mr. Williamſon | 53 |
| r. Floyd | | | | |

*For the Negative.*

| | | | | |
|---|---|---|---|---|
| r. Adams | Mr. Carpenter | Mr. Landon | Mr. H. Smith | |
| r. Adriance | Mr. Coe | Mr. M'Intyre | Mr. John Smith | |
| r. Arcularius | Mr. Comſtock | Mr. Moore | Mr. Joſhua Smith | |
| r. Baldwin | Mr. Corl | Mr. E. Mott | Mr. Snell | |
| r. Blake | Mr. Dodge | Mr. Nexen | Mr. Storm | |
| r. Boyd | Mr. Hogeboom | Mr. Robins | Mr. Swartwout | |
| r. Bruyn | Mr. Honeywell | Mr. Root | Mr. Weſtcott | |
| r. Burling | Mr. Hunt | Mr. Skidmore | Mr. Wolfe | 35 |
| r. Burt | Mr. Johnſon | Mr. A. Smith | | |

Mr. Philip Smith then moved for a reconſideration of the ſaid reſolution, and e queſtion having been put thereon, it was carried in the affirmative. The yeas d nays being called for by Mr. Thomas, ſeconded by Mr. Adriance, were as follws, viz.

*For the Affirmative.*

| | | | | |
|---|---|---|---|---|
| . Abeel | Mr. Doty | Mr. J. Lanſingh | Mr. Pearce | |
| . Barker | Mr. Fort | Mr. Lefevre | Mr. Schermerhorn | |
| . Bill | Mr. French | Mr. Lott | Mr. Schuyler | |
| . Butler | Mr. Gates | Mr. C. M'Kinſtry | Mr. Shurtleff | |
| . Campbell | Mr. B. Gilbert | Mr. J. M'Kinſtry | Mr. John M. Smith | |
| . Clift | Mr. Heermance | Mr. M'Neil | Mr. Philip Smith | |
| . Cummings | Mr. Henry | Mr. W. Mott | Mr. Swart | |
| . Deitz | Mr. Hoag | Mr. Oſtrom | Mr. Teed | |
| . Dewey | Mr. Hopkins | Mr. Paine | Mr. Voorhis | |
| . De Witt | Mr. Kane | Mr. Pauling | Mr. Williamſon | 42 |
| . Dodge | Mr. C. Lanſingh | | | |

*For the Negative.*

| | | | |
|---|---|---|---|
| Mr. Adams | Mr. Clark | Mr. Moore | Mr. John Smith |
| Mr. Adgate | Mr. Coe | Mr. E. Mott | Mr. Joſhua Smith |
| Mr. Adriance | Mr. Comſtock | Mr. Peck | Mr. Snell |
| Mr. Arcularius | Mr. Floyd | Mr. Prevoſt | Mr. Storm |
| Mr. Baldwin | Mr. E. Gilbert | Mr. Robins | Mr. Swartwout |
| Mr. Boyd | Mr. Hogeboom | Mr. Root | Mr. Thomas |
| Mr. Bruyn | Mr. Hunt | Mr. Savage | Mr. Veeder |
| Mr. Burling | Mr. Johnſon | Mr. Schuneman | Mr. Weſcott |
| Mr. Burt | Mr. Landon | Mr. A. Smith | Mr. Wolfe |
| Mr. Carpenter | Mr. M'Intyre | Mr. H. Smith | |

Mr. Swartwout then made a motion that the Houſe ſhould adjourn, and the queſtion having been put thereon, it paſſed in the negative. The yeas and nays being called for by Mr. Swartwout, ſeconded by Mr. Bill, were as follows, viz.

*For the Negative.*

| | | | |
|---|---|---|---|
| Mr. Adgate | Mr. Dewey | Mr. C. Lanſingh | Mr. Schuneman |
| Mr. Adriance | Mr. De Witt | Mr. J. Lanſingh | Mr. Schuyler |
| Mr. Baldwin | Mr. Dodge | Mr. Lefevre | Mr. Shurtleff |
| Mr. Barker | Mr. Doty | Mr. Lott | Mr. A. Smith |
| Mr. Bill | Mr. Floyd | Mr. M'Intyre | Mr. H. Smith |
| Mr. Blake | Mr. Fort | Mr. C. M'Kinſtry | Mr. John Smith |
| Mr. Boyd | Mr. French | Mr. J. M'Kinſtry | Mr. John M. Smith |
| Mr. Burling | Mr. Gates | Mr. M'Neil | Mr. Joſhua Smith |
| Mr. Burt | Mr. B. Gilbert | Mr. Moore | Mr. Philip Smith |
| Mr. Butler | Mr. E. Gilbert | Mr. E. Mott | Mr. Snell |
| Mr. Campbell | Mr. Heermance | Mr. W. Mott | Mr. Storm |
| Mr. Carpenter | Mr. Henry | Mr. Oſtrom | Mr. Swart |
| Mr. Clark | Mr. Hoag | Mr. Paine | Mr. Teed |
| Mr. Clift | Mr. Hogeboom | Mr. Pauling | Mr. Thomas |
| Mr. Coe | Mr. Hopkins | Mr. Pearce | Mr. Van Renſelaer |
| Mr. Comſtock | Mr. Hunt | Mr. Peck | Mr. Veeder |
| Mr. Cummings | Mr. Johnſon | Mr. Savage | Mr. Voorhis |
| Mr. Deitz | Mr. Kane | Mr. Schermerhorn | Mr. Weſcott |

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Mr. Adams | Mr. Landon | Mr. Robins | Mr. Swartwout |
| Mr. Arcularius | Mr. Nexen | Mr. Root | Mr. Wolfe |
| Mr. Bruyn. | | | |

After ſome debates were then had on the ſaid reſolution, Mr. Philip Smith moved for leave to withdraw the motion by him made for the ſaid reſolution, and the queſtion having been put thereon, it was carried in the affirmative.

Then the Houſe reſolved itſelf into a committee of the whole Houſe on the ſeveral meſſages of his Excellency the Governor of the 11th inſt. and of the 16th inſt. and the papers which accompanied the ſaid meſſages reſpectively; and after ſome time ſpent thereon, Mr. Speaker reſumed the chair, and Mr. Hopkins from the ſaid committee, reported, that the committee had agreed to the following reſolutions, viz.

*Reſolved*, as the ſenſe of this committee, that a committee be appointed to take into conſideration the meſſage of his Excellency the Governor of the 11th inſt. relative to the commiſſary of Military Stores, and the papers accompanying the ſame, and that they report their opinion thereon to the Houſe.

*Reſolved*, as the ſenſe of this committee, that a committee be appointed to take into conſideration the meſſage of his Excellency the Governor of the 16th inſt. relative to the St. Regis Indians, and the papers accompanying the ſame, and that they report their opinion thereon to the Houſe by bill or otherwiſe.

Which report he read in his place, and delivered the ſame in at the table, where it was again read and agreed to by the Houſe: Thereupon,

*Reſolved*, That a committee be appointed to take into conſideration the meſſage of his Excellency the Governor of the 11th inſt. relative to the Commiſſary of Military Stores, and the papers accompanying the ſame, and that they report their opinion thereon to the Houſe, and that Mr. Boyd, Mr. Williamſon and Mr. E. Mott be of the ſaid committee.

*Reſolved*, That a committee be appointed to take into conſideration the meſſage of his Excellency the Governor of the 16th inſt. relative to the St. Regis Indians

nd the papers, accompanying the ſame, and that they report their opinion thereon o the Houſe by bill or otherwiſe, and that Mr. Swartwout, Mr. Hopkins, and Mr. . M'Kinſtry be of the ſaid committee.

A meſſage from the Hon. the Council of Reviſion, tranſmitted to this Houſe by he Hon. the Senate, was read, that it does not appear improper to the Council that he bill entitled "An act for the ſale of lands to John Denny, an Indian," and the ill entitled "An act concerning the State-Priſon," ſhould ſeverally become laws f this ſtate.

Mr. Dewey from the committee of the whole Houſe on the bill entitled "An ct to amend the act entitled "An act to incorporate the Cayuga Bridge Compa-y," reported progreſs, and obtained leave to ſit again.

Then the Houſe adjourned until eleven o'clock to-morrow morning.

TUESDAY, *eleven o'clock, A. M. February 19th*, 1799.

The bill entitled "An act to amend the act entitled "An act to regulate the practice of phyſic and ſurgery in this ſtate," the bill entitled "An act for the relief of the legal repreſentatives of Joſeph Crane, deceaſed," and the bill entitled "An act to grant the land therein mentioned to John Frazer," were ſeverally read the ſecond time and committed to a committee of the whole Houſe.

Two ſeveral meſſages from the Hon. the Senate, delivered by Mr. Clinton and Mr. Denning, with the bills therein mentioned, were read, that the Senate have paſſed the bill entitled "An act authorizing the grant of certain lands to the ſociety for the promotion of agriculture, arts and manufactures," and the bill entitled "An act to amend the act entitled "An act to provide againſt infectious and peſtilential diſeaſes," and requeſting the concurrence of this Houſe to the ſaid bills reſpectively. The ſaid bills were read the firſt time and ordered a ſecond reading.

A copy of reſolutions agreed to by the Hon. the Senate and to which they requeſt the concurrence of this Houſe, alſo delivered by Mr. Clinton and Mr. Denning, were read, and are in the words following, viz.

*State of NEW-YORK.*

IN SENATE, February 11th, 1799.

*Reſolved*, That the Senators and Repreſentatives of this ſtate be and they hereby are requeſted to uſe their beſt endeavours that Congreſs propoſe to the Legiſlatures of the ſeveral ſtates the following amendments to the conſtitution of the United States, viz. That the electors of Preſident and Vice-Preſident in giving their votes ſhall reſpectively diſtinguiſh the perſon whom they deſire to be Preſident from the one they deſire to be Vice-Preſident, by annexing the words preſident or vice-preſident as the caſe may require, to the proper name voted for. And the perſon having the greateſt number of votes for Vice-Preſident, if ſuch number be a majority of the whole number of electors choſen, ſhall be Vice-Preſident. And if there be no choice, and two or more perſons ſhall have the higheſt number of votes, and thoſe equal, the Senate ſhall immediately chooſe by ballot one of them for Vice-Preſident; and if no perſon have a majority, then from the five higheſt on the liſt the Senate ſhall in like manner chooſe the Vice-Preſident: but in chooſing the Vice-Preſident the votes ſhall be taken by ſtates, the Senators from each ſtate having one vote; a quorum for this purpoſe ſhall conſiſt of a member or members from two-thirds of the ſtates, and a majority of all the ſtates ſhall be neceſſary to a choice. And in caſe the Senators and Repreſentatives of this ſtate in Congreſs ſhall find that the aforeſaid amendment is not conformable to the ſentiments of a conſtitutional majority of both branches of the national Legiſlature, they are hereby requeſted ſo to modify the ſame as to meet the ſentiments of ſuch majority. Provided however, that any amendment which may be agreed upon, ſhall oblige the electors to deſignate the perſon they deſire to be Preſident from the one whom they deſire may be Vice-Preſident.

That in addition to the other qualifications preſcribed by ſaid conſtitution, no perſon ſhall be eligible as Preſident or Vice-Preſident of the United States, nor ſhall any perſon be a Senator or Repreſentative in the Congreſs of the United States except a natural born citizen, or unleſs he ſhall have been a reſident in the United States at the time of the declaration of independence, and ſhall have continued either to reſide within the ſame or be employed in its ſervice from that period to the time of his election. Provided nevertheleſs, that in caſe the Senators and Re-

preſentatives of this ſtate in Congreſs ſhall find that the amendment above propos-
ed, is not perfectly conformable to the ſentiments of a conſtitutional majority of
both branches of the national Legiſlature, they are hereby empowered and reque-
ed ſo to modify the ſame as to meet the ſentiments of ſuch majority. Provided
however, that any amendment which may be agreed upon, ſhall exclude from the
office of Preſident and Vice-Preſident any perſon who is not a natural born citizen
or reſident in the United States at the time of the declaration of independence as
aforeſaid; and ſhall alſo exclude from a ſeat in either branch of Congreſs any per-
ſon who ſhall not have been actually naturalized at the time of making this amend-
ment, and have been admitted a citizen of the United States fourteen years at leaſt
at the time of ſuch election.

*Reſolved*, That his Excellency the Govenor be and he is hereby requeſted forth-
with to tranſmit the reſolutions adopted on the 11th inſtant, to the Senators and
Repreſentatives of this ſtate in Congreſs; and alſo tranſmit the ſame to the ſupreme
Executives of the ſeveral ſtates.

*Ordered*, That the conſideration of the ſaid reſolutions be poſtponed until the
firſt Tueſday in March next.

A petition of Anne Lane, late widow of, and Catharine, Sarah, John, and David
Hughes, children of Timothy Hughes, praying compenſation for the military ſer-
vices of the ſaid Timothy Hughes, as a captain in the late American army, was read
and referred to Mr. Voorhis, Mr. W. Mott and Mr. Schuneman.

A petition of Increaſe Bennett, of Kinderhook-Landing, praying a law to enable
him to raiſe by lottery the ſum of 5000 dollars, was read: Thereupon,

*Reſolved*, That the prayer of the ſaid petition cannot be granted.

*Ordered*, That the petitioner have leave to withdraw his petition.

A petition of Eliab Wilcox and others, of the town of Harpersfield in the coun-
ty of Delaware, praying a final diſcharge of quit rents; a petition of James M'Vic-
kar, of the town of Coxſackie, an alien, praying to be naturalized; and ſix ſeveral
petitions of inhabitants of the county of Onondaga, reſiding on land commonly
called the Military Tract, praying that the proprietors of the land on which they
reſpectively reſide and have made improvements, may be compelled by law to
compenſate the petitioners for their improvements, were ſeverally read; thereupon,

*Ordered*, That the petitioners have leave to withdraw their reſpective petitions.

A petition of George Merchant, of the city of Albany, relative to damages done
to his dwelling-houſe in State-ſtreet, in conſequence of erecting the building for the
public offices in ſaid ſtreet, was read and referred to Mr. J. Lanſingh, Mr. Pearce
and Mr. Fort.

A petition of William Stevens and others, inhabitants of the county of Ononda-
ga, relative to the erection of a new county and the eſtabliſhing the place of hold-
ing the courts in ſaid county, was read and committed to the committee of the
whole Houſe when on the bill entitled "An act to erect a part of the county of
Onondaga into a ſeparate county by the name of ."

A petition of William Adams, of the town of Claverack in the county of Colum-
bia, praying compenſation for the ſervices of his brother Jeſſe Adams, deceaſed,
as a ſoldier in the late American army, was read and referred to Mr. French, Mr.
C. Lanſingh and Mr. Voorhis.

A petition of Margaret Low, widow of Iſaac Low, deceaſed, relative to her right
of dower in the real eſtate of her ſaid huſband which was confiſcated and ſold, was
read and referred to the Attorney-General to report thereon.

Mr. Oſtrom from the committee to whom was referred the petition of Abraham
Ten Eyck, Richard Luſh and others, reported, That they have attended to the ſub-
ject matter contained in the ſaid petition, and are induced to believe from the depo-
ſitions of the petitioners, that they were impreſſed with a belief that a forfeiture of
the lands and of the money advanced would be the utmoſt of their reſponſibility
on account of the mortgages by them executed to the people of this ſtate, and that
the preſent ſcarcity of money has in ſome meaſure put it out of the power of many
of ſaid petitioners at preſent to diſcharge the intereſt due on their reſpective mort-
gages. The committee are therefore of opinion that the petitioners are entitled to
ſome relief; that they have prepared a bill for that purpoſe and have directed their

hairman to ask for leave to bring in the same. Leave being given, Mr. Ostrom rought in the said bill entitled "An act for the relief of Abraham Ten Eyck, Richard Lush and others," which was read the first time and ordered a second reading.

Mr. J. Lansingh from the committee to whom was referred the petition of John Lansing, jun. reported, That it appears to the committee that the said John Lansing, jun. purchased for the sum of 100l. from the commissioners of forfeitures for the western district, on the 28th day of August, 1788, a certain piece of land situate in the county of Montgomery, in a patent granted to Frederick Young and others, known by the easternmost half of lot No. 38, in the division of the said patent, estimated at 200 acres more or less forfeited by the conviction of the said Frederick Young; and it farther appears to the committee that by a deed dated the 22d day of March, 1788, the said Frederick Young had legally conveyed the premises aforesaid to Theobald Young in fee. The committee are therefore of opinion that the said John Lansing, jun. is entitled to relief from the Legislature, and have directed their chairman to ask for leave to bring in a bill for such purpose.

*Ordered*, That leave be given accordingly.

Mr. Dewey from the committee to whom was referred the petition of John Joyce, reported, that from the best information the committee are able to obtain, the facts stated in the petition are true, and that in their opinion, the petitioner is entitled to relief, and that leave should be given to bring in a clause to be added to some proper bill for that purpose.

*Ordered*, That leave be given accordingly, and that the same committee do prepare and bring in such clause.

Mr. German from the committee to whom was referred the petition of David Cook, reported, that they have examined the said petition, and the documents accompanying the same, and find that the right of pre-emption to the lot of land prayed for, legally belonged to David Cook, assignee of Peter Panter and Jacob Dennis; that the said Jacob Dennis died before a title was obtained from the state. The committee are therefore of opinion that the petitioner is entitled to legislative relief, and that leave should be given to bring in a clause to be added to some proper bill for that purpose.

*Ordered*, That leave be given accordingly, and that the same committee do prepare and bring in such clause.

Pursuant to the order of the day the House resolved itself into a committee of the whole House on the bill entitled "An act to amend the act entitled "An act to organize the militia of this state," and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. M'Intyre from the said committee, reported, that after the said bill had been read in the committee, Mr. Thomas mode a motion that the committee should agree to substitute a bill in the room of the one before the committee, which substitute was read; that the question having been put on the motion of Mr. Thomas, it was carried in the affirmative; that the committee had made some progress therein, and had directed him to move for leave to sit again.

*Ordered*, That the said committee have leave to sit again.

The House, pursuant to the further order of the day, then proceeded to the consideration of the question on the passing of the engrossed bill entitled "An act for the relief of Alexander Comrie," and after considerable debates were had thereon, Mr. Speaker put the question, whether the said bill should pass, and it was carried in the affirmative. The yeas and nays being called for by Mr. Reynolds, seconded by Mr. Gray, were as follows, viz.

*For the Affirmative.*

Mr. Adsmore
Mr. Arculurius
Mr. Bidle
Mr. Boyd
Mr. Burt
Mr. Clark
Mr. Coe
Mr. Conklock
Mr. Corl
Mr. Crocker
Mr. Cummings
Mr. Ridge
Mr. Floyd
Mr. B. Gilbert
Mr. E. Gilbert
Mr. Hogeboom
Mr. Hopkins
Mr. Johnson
Mr. Landon
Mr. Lee
Mr. M'Intyre
Mr. Moore
Mr. H. Mott
Mr. Nexsen
Mr. Pauling
Mr. Pearce
Mr. Peck
Mr. Robins
Mr. Root
Mr. Savage
Mr. Schuneman
Mr. Shurtleff
Mr. Skidmore
Mr. A. Smith
Mr. H. Smith
Mr. John Smith
Mr. Joshua Smith
Mr. Snell
Mr. Swartwout
Mr. S. Ten Broeck
Mr. Thomas
Mr. Van Benthuysen
Mr. Veeder
Mr. Waren
Mr. Wescott
Mr. Williamson
Mr. Wolfe 47

*For the Negative.*

| | | | |
|---|---|---|---|
| Mr. Abeel | Mr. Fort | Mr. C. Lanſingh | Mr. Reynolds |
| Mr. Adams | Mr. French | Mr. J. Lanſingh | Mr. Schermerhorn |
| Mr. Adgate | Mr. Furman | Mr. Lefevre | Mr. Schuyler |
| Mr. Barker | Mr. Gates | Mr. Lott | Mr. John M. Smith |
| Mr. Bill | Mr. German | Mr. C. M'Kinſtry | Mr. Philip Smith |
| Mr. Bruyn | Mr. Gray | Mr. M'Neil | Mr. Storm |
| Mr. Clift | Mr. Hall | Mr. Micheau | Mr. Swart |
| Mr. Deitz | Mr. Heermance | Mr. Oſtrom | Mr. Teed |
| Mr. Dewey | Mr. Henry | Mr. Paine | Mr. Van Renſelaer |
| Mr. Doty | Mr. Honeywell | Mr. Philips | Mr. Voorhis |

Thereupon, *Reſolved*, That the bill do paſs.

*Ordered*, That Mr. Oſtrom and Mr. Paine deliver the bill to the Hon. the Senate and requeſt their concurrence.

Mr. Comſtock from the committee to whom were referred the ſeveral petitions of David Hawkins, John Foſter, John Wilſon, Peter Noodſtrant, David Wandle, Frederick Weiſſenfels, Henry Ten Eyck, Timothy How, Ann Barber, Andrew Finck, Brockholſt Livingſton and Marinus Willett, ſeverally praying grants of bounty lands for military ſervices, reported, that the committee have taken the ſaid petitions ſeverally, with the papers accompanying the ſame, into conſideration, and have carefully examined the ſeveral laws of this ſtate relative to bounty lands, and find no laws promiſing bounty lands to perſons of the deſcription of either of the ſaid petitioners; and that therefore the committee are of opinion, that it would be improper to grant the prayer of either of the ſaid petitions, and that they ſhould have leave to withdraw their petitions; which report was agreed to by the Houſe: Thereupon,

*Reſolved*, That the prayer of the ſaid ſeveral petitions cannot be granted.

*Ordered*, That the petitioners have leave to withdraw their petitions.

Mr. Dewey from the committee of the whole Houſe on the bill entitled "An act to amend the act entitled "An act to incorporate the Cayuga Bridge Company," reported, that the committee had gone through the bill, made amendments, filled up the blanks, added a proviſo and agreed to the ſame, which he was directed to report to the Houſe, and he read the report in his place, and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

*Ordered*, That the bill be engroſſed.

*Reſolved*, That this Houſe will, on Tueſday next, reſolve itſelf into a committee of the whole Houſe on the bill entitled "An act for the aſſeſſment and collection of taxes."

Then the Houſe adjourned until eleven o'clock to-morrow morning.

WEDNESDAY, *eleven o'clock, A. M. February 20th*, 1799.

The engroſſed bill entitled "An act for the inſpection of flour and meal," was read the third time.

*Reſolved*, That the bill do paſs.

The engroſſed bill entitled "An act to amend the act entitled "An act to incorporate the Cayuga Bridge Company," was read the third time.

*Reſolved*, That the bill do paſs.

*Ordered*, That Mr. Paine and Mr. Pauling deliver the two laſt mentioned bills to the Hon. the Senate and requeſt their concurrence to the ſaid bills reſpectively.

The bill entitled "An act to amend an act entitled "An act to provide againſt infectious and peſtilential diſeaſes," the bill entitled "An act authoriſing the grant of certain lands to the ſociety for the promotion of agriculture, arts and manufactures," and the bill entitled "An act for the relief of Abraham Ten Eyck, Richard Luſh and others," were ſeverally read the ſecond time and committed to a committee of the whole Houſe.

A petition of John Burroughs and others, and a petition of Robert Earll and others, inhabitants of the county of Onondaga, praying that the ſeveral lots of land reſerved within the ſaid county for promoting literature, may be diſpoſed of by ſale or leaſe, were ſeverally read and referred to Mr. Paine, Mr. Landon and Mr. Cummings.

Mr. Reynolds from the committee appointed to conſider and report whether any, and if any what alterations are neceſſary in the act for regulating highways, reported, That the committee have attentively conſidered the ſaid law, and are of opinion that the ſame ought to be ſo altered as that no money ſhould be raiſed by the ſa-

perintendants, unleſs the ſame ſhould appear proper and neceſſary to the board of ſupervisors of the reſpective counties. That the commutation for labour as now eſtabliſhed by law is too high, and that in their opinion the ſame ought to be reduced. That the former power of the commiſſioners of highways as defined in the 22d ſection of the act entitled "An act for the better laying out, regulating and keeping in repair highways, &c. be revived.

*Ordered*, That the conſideration of the ſaid report be poſtponed until to-morrow.

A meſſage from the Hon. the Senate, delivered by Mr. Denning and Mr. Foote, with the bill therein mentioned, was read, that the Senate have paſſed the bill entitled "An act to improve the navigation of Hudſon's river between the villages of Lanſingburgh and Troy," with the amendments therewith delivered.

The bill and amendments were read, and the amendments having been read the ſecond time were ſeverally concurred in by the Houſe and the bill ordered to be amended accordingly.

*Ordered*, That Mr. Pauling and Mr. Pearce deliver the bill to the Hon. the Senate, and inform them that this Houſe have concurred in their amendments to the ſaid bill, and that the ſame is amended accordingly.

Mr. Swartwout from the ſelect committee to whom was committed the meſſage of his Excellency the Governor of the 16th inſt. relative to the St. Regis Indians, reported, That in the opinion of the committee proviſion ought to be made by law for ſurveying the lands reſerved to the ſaid Indians; that the committee have prepared a bill for ſuch purpoſe and have directed their chairman to aſk for leave to bring in the ſame. Leave being given, Mr. Swartwout brought in the ſaid bill entitled "An act to aſcertain the boundaries of the lands reſerved to the St. Regis Indians," which was read the firſt time and ordered a ſecond reading.

Mr. Shurtleff, purſuant to leave heretofore given, brought in a bill entitled "An act for the relief of James Caldwell," which was read the firſt time and ordered a ſecond reading.

Mr. Root made a motion that this Houſe ſhould reconſider their deciſion made yeſterday on the petition of Eliab Wilcox and others. Mr. Speaker put the queſtion whether the Houſe did agree to the motion of Mr. Root, and it was carried in the affirmative. The ſaid petition was thereupon again read. Mr. Root then made a motion that the ſame be referred to a committee of three members, and the queſtion having been put thereon, it was carried in the affirmative. Thereupon,

*Ordered*, That the petition of Eliab Wilcox and others be referred to Mr. John M. Smith, Mr. Clift and Mr. B. Gilbert.

Mr. Reynolds from the committee appointed to take into conſideration the ſeveral laws of this ſtate which reſpect the ſale of real eſtates on execution, reported, That they have attentively examined the ſubject to them ſubmitted, and are of opinion, that the intereſt of the community would be enlarged and creditors in general benefited, if the laws directing the ſale of lands at vendue in ſatisfaction of executions were ſo amended, that when any real eſtates were taken by execution the fee of the whole or ſuch part thereof as judicious men on oath ſhould declare ſufficient, ſhould immediately be veſted in the creditor, but that no ſuch alteration ſhould in any wiſe have a retroſpective operation.

*Ordered*, That the conſideration of the ſaid report be poſtponed until Wedneſday next.

Mr. Prevoſt from the committee of the whole Houſe on the bill entitled "An act to amend the laws reſpecting the loan-officers and ſupervisors of the ſeveral counties of this ſtate," reported that the committee had gone through the bill, made amendments, and agreed to the ſame, which he was directed to report to the Houſe, and he read the report in his place, and delivered the bill and amendments in at the table, where they were again read and agreed to by the Houſe.

*Ordered*, That the amendments be engroſſed.

Mr. Comſtock from the committee of the whole Houſe on the bill entitled "An act to amend the act entitled "An act to provide againſt infectious and peſtilential diſeaſes," reported progreſs and obtained leave to ſit again.

Mr. Henry, in behalf of Mr. M'Intyre, from the committee of the whole Houſe on the bill entitled "An act to amend the act entitled "An act to organize the militia of this ſtate," reported progreſs and obtained leave to ſit again.

*Ordered*, That one hundred and fifty copies of the ſaid bill be forthwith printed for the uſe of this Houſe.

*Reſolved*, That this Houſe will, to-morrow, reſolve itſelf into a committee of the whole Houſe on the bill entitled "An act to eſtabliſh a turnpike corporation for improving the ſtate road from the houſe of John Weaver, in Water-Vliet, to Cherry-Valley, and to repeal the act therein mentioned."

*Ordered*, That the committee of the whole Houſe be diſcharged from the further conſideration of the ſeveral petitions from inhabitants of the county of Onondaga, relative to the eſtabliſhing the place of holding the courts in ſaid county, and that the ſame be referred to Mr. Bill, Mr. Clark, Mr. Robins, Mr. Carpenter, Mr. Clift, Mr. Floyd and Mr. M'Neil.

Mr. Storm made a motion that the Houſe ſhould adjourn to meet at ten o'clock to-morrow morning.

Mr. Speaker put the queſtion on the ſaid motion, and it was carried in the affirmative. The yeas and nays being called for by Mr. Swartwout, ſeconded by Mr. Hopkins, were as follows, viz.

*For the Affirmative.*

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|---|---|---|---|
| Mr. Abeel | Mr. Deits | Mr. Landon | Mr. A. Smith |
| Mr. Adams | Mr. Dodge | Mr. J. Lanſingh | Mr. H. Smith |
| Mr. Adgate | Mr. Doty | Mr. Lee | Mr. John Smith |
| Mr. Adriance | Mr. Floyd | Mr. Lefevre | Mr. John M. Smith |
| Mr. Arcularius | Mr. Fort | Mr. Lott | Mr. Jotham Smith |
| Mr. Baldwin | Mr. Furman | Mr. C. M'Kinſtry | Mr. Philip Smith |
| Mr. Barker | Mr. Gates | Mr. Micheau | Mr. Storm |
| Mr. Bill | Mr. B. Gilbert | Mr E. Mott | Mr. Swart |
| Mr. Blake | Mr. E. Gilbert | Mr. Paine | Mr. Teal |
| Mr. Bruyn | Mr. Gray | Mr. Pauling | Mr. S. Ten Broeck |
| Mr. Burling | Mr. Henry | Mr. Pearce | Mr. Thomas |
| Mr. Burt | Mr. Hoag | Mr. Peck | Mr. Van Benthuyſen |
| Mr. Clark | Mr. Honeywell | Mr. Philips | Mr. Veeder |
| Mr. Clift | Mr. Hopkins | Mr. Schuneman | Mr. Vandie |
| Mr. Comſtock | Mr. Johnſon | Mr. Schuyler | Mr. Waren |
| Mr. Corl | Mr. Kane | Mr. Skidmore | Mr. Wells |
| Mr. Crocker | | | |

*For the Negative.*

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|---|---|---|---|
| Mr. Butler | Mr. Heermance | Mr. Prevoſt | Mr. Sanderſon |
| Mr. Germain | Mr. M'Neil | Mr. Robins | |

Then the Houſe adjourned until ten o'clock to-morrow morning.

THURSDAY, *ten o'clock, A. M. February 21ſt*, 1799.

The bill entitled "An act to amend the laws reſpecting the loan-officers and ſupervifors of the ſeveral counties of this ſtate," with the engroſſed amendments, was read the third time.

*Reſolved*, That the bill do paſs.

*Ordered*, That Mr. Pauling and Mr. Pearce deliver the bill with the amendments to the Hon. the Senate, and inform them that this Houſe have paſſed the ſame with the amendments therewith delivered.

The bill entitled "An act for the relief of James Caldwell," and the bill entitled "An act to aſcertain the boundaries of the lands reſerved to the St. Regis Indians," were ſeverally read the ſecond time and committed to a committee of the whole Houſe.

A petition of David Mitchell and others, inhabitants of the town of Thurman in the county of Waſhington, praying a diviſion thereof into two towns, was read and referred to Mr. Crocker, Mr. S. Ten Broeck and Mr. Arcularius.

A petition of John Denny, praying compenſation for military ſervices, was read and referred to Mr. Bruyn, Mr. Campbell and Mr. Veeder.

A petition of William Mead, praying a grant of bounty lands for his ſervices as a ſurgeon in the firſt New-York regiment during the late war, was read and referred to Mr. Comſtock, Mr. Clift, Mr. Pauling, Mr. Shurtleff and Mr. Hopkins.

A petition of William Sloan, relative to a lot of land in New-Petersburgh, was read and referred to Mr. Lott, Mr. Waren and Mr. Van Benthuyſen.

Mr. French from the committee to whom was referred the petition of James M'Gourk, reported, That they have enquired into the truth of the allegations contained in the ſaid petition, and find that John Bromley was a ſoldier in the continental army, and had enliſted to ſerve during the late war; that he died poſſeſſed

to the concluſion of the ſaid war, but the preciſe time when the committee have not been able to aſcertain: that Simon Bromley is his heir at law, and executed the conveyance to the petitioner, which is ſet forth in his petition; that letters patent iſſued in the name of the ſaid John Bromley on the 13th day of September, 1790, for lot No. 43, in the town of Locke, on the military tract, as in the ſaid petition is ſet forth; that by examining the 5th ſection of the act entitled "An act to carry into effect the concurrent reſolutions and acts of the Legiſlature for granting certain lands promiſed to be given as bounty lands, &c." paſſed the 6th day of April, 1790, it appears that no perſon having ſerved as an officer or ſoldier in the continental army ſhould be deemed veſted in, or have a right to bounty lands previous to the 27th day of March, 1783, and as the ſaid John Bromley died before that time, the committee are of opinion that a lawful right would not be veſted in him after his death, and that their right, together with ſeveral hundred others in a ſimilar ſituation, ſtill belong to the people of this ſtate: but as the committee view the ſubject to be of very conſiderable importance, not only to a great number of individuals, but alſo to the people of the ſtate at large, and conceiving themſelves not fully competent to determine on the legal operation and equity of the point in queſtion, they forbear to expreſs an opinion whether any and what relief ſhould be granted to the petitioner.

Thereupon, *Ordered*, That it be the order of the day on Thurſday next for this Houſe to take into conſideration the ſaid report.

Mr. Butler from the committee to whom were committed ſundry petitions for and remonſtrances againſt annexing the tract of land in Herkimer county called Young's Patent, to the county of Otſego, reported, That in an inveſtigation of the buſineſs, they find that the line between the counties of Herkimer and Otſego is crooked, and many inconveniences no doubt thereby ariſe; but as the alteration prayed for would tend but very partially to remedy this evil, and a conſiderable number of inhabitants on ſaid patent appear to be averſe to the meaſure, which would of courſe tend to create great uneaſineſs and contention. The committee are therefore of opinion that it would not be expedient at this time to grant the prayer of ſaid petition, and that the petitioners have leave to withdraw the ſame.

*Reſolved*, That this Houſe do concur with the committee in their ſaid report.

Mr. Dewey from the committee of the whole Houſe on the bill entitled "An act to eſtabliſh a turnpike corporation for improving the ſtate road from the houſe of John Weaver in Water-Vliet to Cherry-Valley and to repeal the act therein mentioned," reported, that the committee had gone through the bill, made amendments, filled up the blanks and agreed to the ſame, which he was directed to report to the Houſe, and he read the report in his place and delivered the bill in at the table, where it was again read and agreed to by the Houſe.

*Ordered*, That the bill be engroſſed.

A meſſage from his Excellency the Governor, delivered by his private ſecretary, was read, and is in the words following, viz.

GENTLEMEN,

In purſuance of the "Act for the further defence of the ſtate and for other purpoſes," a contract has been made with the bank of New-York for the loan of two hundred thouſand dollars in part of the ſum appropriated by that act. To ſuſtain the credit of the ſtate, it is neceſſary that ſeaſonable proviſion be made for the punctual payment of the public debts.

Further in purſuance of that act, meaſures have been taken for building an arſenal on the lot in the vicinity of this city, which belongs to the ſtate. It is intended to erect the arſenal on the north-weſt corner of it, on Water-Vliet-ſtreet, and it would be convenient that on the oppoſite corner on the ſame ſtreet there ſhould be a houſe for the keeper or ſuperintendant, with ſuch work-ſhops and tenements as would be proper for ſuch an eſtabliſhment.

But it ſo happens that a ſmall portion of ground in that corner belongs to a gentleman, who perceiving that the ſtate lot would be imperfect without it, was induced by public conſiderations to purchaſe it, and he is ready to convey it to the ſtate on being reimburſed the principal and intereſt of the money which he paid for it. Although it would in my opinion be beneficial for the ſtate to make this

little purchaſe, I doubt whether my authority under the act extends to ſuch an object.

This arſenal being intended to be the principal depoſitory of our military ſtores, it will be neceſſary to provide not only for their being kept ſecurely, but alſo in good order and condition. Permit me to ſuggeſt whether it would not be adviſable to authorize the employment of mechanics not only to clean and repair the arms and accoutrements in the arſenal, but alſo in making new ones, to be ſold to the militia at prime coſt. To depend on foreign ſupplies for the articles neceſſary for our own defence does not appear to be prudent.

JOHN JAY.

*Albany, 18th February, 1799.*

*Ordered*, That the ſaid meſſage of his Excellency the Governor be committed to a committee of the whole Houſe.

The Houſe proceeded to take into conſideration the report of the committee appointed to conſider and report whether any, and if any, what alterations and amendments were neceſſary to be made in the act entitled "An act to regulate highways," which report is entered on the journal of this Houſe yeſterday. That part of the ſaid report which propoſes to prevent the ſuperintendants from directing monies to be raiſed unleſs the ſame ſhall appear proper and neceſſary to the boards of ſupervisors of the reſpective counties, was again read and debates had thereon; Mr. Speaker put the queſtion whether the Houſe did concur with the committee in that part of their ſaid report, and it was carried in the affirmative. The yeas and nays being called for by Mr. Reynolds, ſeconded by Mr. M'Neil, were as follows, viz.

*For the Affirmative.*

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|---|---|---|---|
| Mr. Abeel | Mr. Deitz | Mr. Kane | Mr. Savage |
| Mr. Adams | Mr. Dewey | Mr. Landon | Mr. Schermerhorn |
| Mr. Adgate | Mr. De Witt | Mr. C. Lanſingh | Mr. Schuyler |
| Mr. Adriance | Mr. Dodge | Mr. J. Lanſingh | Mr. Skidmore |
| Mr. Arcularius | Mr. Doty | Mr. Lee | Mr. A. Smith |
| Mr. Baldwin | Mr. Fairlie | Mr. Lefevre | Mr. H. Smith |
| Mr. Barker | Mr. Floyd | Mr. Lott | Mr. John Smith |
| Mr. Blake | Mr. Fort | Mr. M'Intyre | Mr. Joſhua Smith |
| Mr. Boyd | Mr. French | Mr. C. M'Kinſtry | Mr. Snell |
| Mr. Bruyn | Mr. Furman | Mr. Micheau | Mr. Storm |
| Mr. Burling | Mr. German | Mr. Moore | Mr. Teed |
| Mr. Burt | Mr. B. Gilbert | Mr. E. Mott | Mr. S. Ten Broeck |
| Mr. Butler | Mr. E. Gilbert | Mr. W. Mott | Mr. Thomas |
| Mr. Campbell | Mr. Gray | Mr. Nexen | Mr. Van Benthuyſen |
| Mr. Carpenter | Mr. Heermance | Mr. Paine | Mr. Van Renſſelaer |
| Mr. Clift | Mr. Henry | Mr. Pauling | Mr. Veeder |
| Mr. Coe | Mr. Hogeboom | Mr. Pearce | Mr. Voorhis |
| Mr. Comſtock | Mr. Honeywell | Mr. Peck | Mr. Waren |
| Mr. Corl | Mr. Hopkins | Mr. Philips | Mr. Weſtcott |
| Mr. Crocker | Mr. Hunt | Mr. Reynolds | Mr. Wolfe 43 |
| Mr. Cummings | Mr. Johnſon | Mr. Root | |

*For the Negative.*

| | | | |
|---|---|---|---|
| Mr. Bill | Mr. J. M'Kinſtry | Mr. Robins | Mr. Philip Smith |
| Mr. Gates | Mr. M'Neil | Mr. Shurtleff | Mr. Swartwout |
| Mr. Hall | Mr. Oſtrom | Mr. John M. Smith | Mr. Williamſon 14 |
| Mr. Hoag | Mr. Prevoſt | | |

That part of the ſaid report which propoſes to reduce the rate of commutation for labor, as eſtabliſhed by the ſaid act, was then read, and debates had thereon. Mr. Speaker put the queſtion, whether the Houſe did concur with the committee in that part of their ſaid report, and it was carried in the affirmative. The yeas and nays being called for by Mr. Oſtrom, ſeconded by Mr. Schermerhorn, were as follows, viz.

*For the Affirmative.*

| | | | | |
|---|---|---|---|---|
| Mr. Abeel | Mr. Dewey | Mr. Johnſon | Mr. Schuyler | |
| Mr. Adams | Mr. De Witt | Mr. Landon | Mr. A. Smith | |
| Mr. Adgate | Mr. Dodge | Mr. C. Lanſingh | Mr. John Smith | |
| Mr. Adriance | Mr. Floyd | Mr. Lee | Mr. Storm | |
| Mr. Arcularius | Mr. Fort | Mr. Lott | Mr. Teed | |
| Mr. Bruyn | Mr. German | Mr. M'Intyre | Mr. S Ten Broeck | |
| Mr. Burling | Mr. B. Gilbert | Mr. Nexen | Mr. Thomas | |
| Mr. Burt | Mr. E. Gilbert | Mr. Pauling | Mr. Van Benthuyſen | |
| Mr. Butler | Mr. Heermance | Mr. Pearce | Mr. Veeder | |
| Mr. Carpenter | Mr. Henry | Mr. Philips | Mr. Voorhis | |
| Mr. Clift | Mr. Hogeboom | Mr. Reynolds | Mr. Waren | |
| Mr. Corl | Mr. Honeywell | Mr. Savage | Mr. Williamſon | 50 |
| Mr. Deitz | Mr. Hopkins | | | |

*For the Negative.*

| | | | | |
|---|---|---|---|---|
| Mr. Baldwin | Mr. French | Mr. M'Neil | Mr. Shurtleff | |
| Mr. Barker | Mr. Furman | Mr. Moore | Mr. Skidmore | |
| Mr. Bill | Mr. Gates | Mr. E. Mott | Mr. H. Smith | |
| Mr. Blake | Mr. Gray | Mr. W. Mott | Mr. John M. Smith | |
| Mr. Boyd | Mr. Hall | Mr. Oſtrom | Mr. Joſhua Smith | |
| Mr. Campbell | Mr. Hoag | Mr. Paine | Mr. Philip Smith | |
| Mr. Coe | Mr. Hunt | Mr. Peck | Mr. Snell | |
| Mr. Comſtock | Mr. J. Lanſingh | Mr. Prevoſt | Mr. Swartwout | |
| Mr. Crocker | Mr. Lefevre | Mr. Robins | Mr. P. Ten Broeck | |
| Mr. Cummings | Mr. C. M'Kinſtry | Mr. Root | Mr. Weſtcott | |
| Mr. Doty | Mr. J. M'Kinſtry | Mr. Schermerhorn | Mr. Wolfe | 44 |

The remainder of the ſaid report, which propoſes to revive the former powers of the commiſſioners of highways, as defined in and by the 22d ſection of the act for the better laying out, regulating and keeping in repair the highways, &c. paſſed the 9th May, 1781, was then again read, and the queſtion having been put, whether the Houſe did concur with the committee therein, it was carried in the affirmative.

Thereupon, *Reſolved*, That this Houſe do concur with the committee in their ſaid report.

*Ordered*, That the ſame committee do prepare and bring in a bill agreeably to the ſeveral amendments reported by them.

Mr. Comſtock from the committee of the whole Houſe on the bill entitled "An act to amend the act entitled "An act to provide againſt infectious and peſtilential diſeaſes," reported, that the committee had gone through the bill, made amendments, and agreed to the ſame, which he was directed to report to the Houſe, and he read the report in his place, and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

*Ordered*, That the amendments be engroſſed.

Mr. Prevoſt from the committee of the whole Houſe on the bill entitled "An act for the relief of the repreſentatives of Joſeph Crane, deceaſed," reported progreſs and obtained leave to ſit again.

Mr. Thomas moved a reſolution, which was read and agreed to by the Houſe, and is in the words following, viz.

*Reſolved*, as the ſenſe of this Houſe, That the act for the diviſion of the counties of this ſtate into towns ought to be amended ſo as to have three or more wardens or tithingmen choſen or appointed in the ſeveral cities and towns in this ſtate, in the ſame manner as other town officers are choſen or appointed, whoſe duty it ſhall be to carry into execution the laws for the ſuppreſſion of immorality, and that the committee, of whom Mr. Storm is chairman, be directed to prepare and bring in a bill for that purpoſe.

Mr. Swartwout, in behalf of Mr. Oſtrom, from the committee of the whole Houſe on the bill entitled "An act to explain the law and rectify miſtakes reſpecting the payment and remiſſion of quit rent," reported, that the committee had gone through the bill, made amendments, and agreed to the ſame, which he was directed to report to the Houſe, and he read the report in his place, and delivered the bill and amendments in at the table, where they were again read and agreed to by the Houſe.

*Ordered*, That the amendments be engroſſed.

Then the Houſe adjourned until ten o'clock to-morrow morning.

FRIDAY, *ten o'clock, A. M. February 22d*, 1799.

The bill entitled "An act to explain the law and rectify miſtakes reſpecting the payment and remiſſion of quit rent," with the engroſſed amendments, was read the third time.

*Reſolved*, That the bill do paſs.

The bill entitled "An act to amend an act entitled "An act to provide againſt infectious and peſtilential diſeaſes," with the engroſſed amendments, was read the third time.

*Reſolved*, That the bill do paſs.

*Ordered*, That Mr. Pearce and Mr. Peck deliver the two laſt mentioned bills, with their reſpective amendments, to the Hon. the Senate, and inform them that this Houſe have paſſed the ſaid bills, with the amendments therewith reſpectively delivered.

A petition of John Woodworth and others, and a petition of Amaſa Woodworth and others, ſeverally praying grants of vacant land in the county of Clinton, were read and referred to Mr. Hopkins, Mr. Adgate and Mr. Gates.

A petition of Benjamin Bird, relative to a tract of land in the county of Tioga, was read and referred to the Surveyor-General to report thereon.

Mr. Fort from the committee to whom was referred the petition of Wm. Gordon & Sylvanus Wilcox reported, that the commiſſioners appointed by a law of this ſtate, paſſed April 10, 1792, did appropriate 500l. towards erecting a bridge over Schoharry creek, near the houſe of Aſa Waterman, in the town of Florida; and that the bridge ſo erected has been broken up and removed, and that great part of the timber compoſing the bridge aforeſaid is ſaved. The petitioners, without any further compenſation, propoſe to erect a bridge over the ſame creek, about one mile higher up; and as the ſame would be of great public benefit, it is the opinion of the committee that the prayer of the ſaid petitioners ought to be granted, and have directed their chair- to aſk leave to bring in a bill for that purpoſe. Leave being given, Mr. Fort brought in a bill entitled "An act for the diſpoſal of certain timber to Sylvanus Wilcox and William Gordon," which was read the firſt time and ordered a ſecond reading.

Mr. J. Lanſing, purſuant to leave heretofore given, brought in a bill entitled "An act for the relief of John Lanſing, jun. which was read the firſt time and ordered a ſecond reading.

Mr. Butler from the committee of the whole Houſe on the bill entitled "An act to amend the act entitled "An act to incorporate that part of the town of Schenectady therein mentioned," reported, that in proceeding in the ſaid bill, Mr. Hopkins made a motion that a clauſe ſhould be added thereto in the words following, viz.

And be it further enacted, That from and after the expiration of the term for which the preſent Mayor of the ſaid city is appointed, it ſhall be, and hereby is made lawful, for the freeholders and other inhabitants of the ſaid city as are qualified by the exiſting laws of this ſtate to vote at town meeting, annually to chooſe the Mayor of the ſaid city at the ſame time, and in the ſame manner as is directed in and by the hereby amended act for chooſing the ſuperviſor of the ſaid city."

That debates were had thereon, and the queſtion having been put, whether the committee did agree to the ſaid clauſe, it was carried in the affirmative; that the yeas and nays were called for by Mr. Boyd, ſeconded by Mr. Van Benthuyſen, and were as follows, viz.

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Mr. Adams | Mr. Floyd | Mr. Moore | Mr. Shurtleff |
| Mr. Adriance | Mr. Fort | Mr. E. Mott | Mr. Skidmore |
| Mr. Arcularius | Mr. German | Mr. W. Mott | Mr. A. Smith |
| Mr. Barker | Mr. E. Gilbert | Mr. Nexen | Mr. John Smith |
| Mr. Blake | Mr. Henry | Mr. Oſtrom | Mr. Joſhua Smith |
| Mr. Boyd | Mr. Hogeboom | Mr. Pauling | Mr. Swartwout |
| Mr. Bruyn | Mr. Hopkins | Mr. Peck | Mr. S. Ten Broeck |
| Mr. Burling | Mr. Hunt | Mr. Philips | Mr. Thomas |
| Mr. Burt | Mr. Johnſon | Mr. Robins | Mr. Van Benthuyſen |
| Mr. Clark | Mr. Landon | Mr. Root | Mr. Veeder |
| Mr. Comſtock | Mr. Lee | Mr. Savage | Mr. Waren |
| Mr. Crocker | Mr. M'Intyre | Mr. Schermerhorn | Mr. Weſtcott |
| Mr. Dewey | Mr. C. M'Kinſtry | Mr. Schuneman | Mr. Wolfe |
| Mr. Doty | | | |

*For the Negative.*

| | | | | |
|---|---|---|---|---|
| Mr. Abeel | Mr. Dodge | Mr. C. Lanſingh | Mr. John M. Smith | |
| Mr. Baldwin | Mr. French | Mr. J. Lanſingh | Mr. Philip Smith | |
| Mr. Bill | Mr. Gates | Mr. Lott | Mr. Snell | |
| Mr. Clift | Mr. Gray | Mr. M'Neil | Mr. Speaker | |
| Mr. Coe | Mr. Hall | Mr. Micheau | Mr. Teed | |
| Mr. Corl | Mr. Heermance | Mr. Pearce | Mr. Van Renſelaer | |
| Mr. Cummings | Mr. Hoag | Mr. Prevoſt | Mr. Voorhis | |
| Mr. Deitz | Mr. Honeywell | Mr. Schuyler | Mr. Williamſon | 34 |
| Mr. De Witt | Mr. Kane | | | |

Mr. Butler further reported, that the committee had gone through the bill, added o clauſes and agreed thereto, which he was directed to report to the Houſe, and read the report in his place and delivered the ſame in at the table, where it was in read and agreed to by the Houſe.

*Ordered*, That the amendments be engroſſed.

Two ſeveral meſſages from the Hon. the Senate, delivered by Mr. Foote and Mr. ey, with the bills therein reſpectively mentioned were read, that the Senate have ſed the bill entitled "An act relative to part of the ſouth boundary of the county Columbia," and the bill entitled "An act directing the mode of granting letters adminiſtration in caſes where perſons ſhall die inteſtate in the city of New-York," d requeſting the concurrence of this Houſe to the ſaid bills reſpectively. The d bills were ſeverally read the firſt time and ordered a ſecond reading.

The Hon. the Senate returned by Mr. Foote and Mr. Frey the bill entitled "An t to improve the navigation of Hudſon's river between the villages of Lanſingrgh and Troy."

*Ordered*, That Mr. Peek and Mr. Philips deliver the ſaid bill to the Hon. the uncil of Reviſion.

Mr. Swartwout from the committee appointed for that purpoſe, brought in acrding to order a bill entitled "An act to ſubdivide the four great diſtricts of this te into further diſtricts for the election of Senators," which was read the firſt time d ordered a ſecond reading.

Mr. Henry in behalf of Mr. Reynolds, from the committee appointed for the rpoſe, brought in according to order a bill entitled "An act further to amend e act entitled "An act to regulate highways," which was read the firſt time and dered a ſecond reading.

A meſſage from the Hon. the Senate, delivered by Mr. Frey and Mr. Ganſevoort th the bill entitled "An act to amend an act entitled "An act to provide againſt fectious and peſtilential diſeaſes," informing that the Senate have concurred with is Houſe in their amendments to the ſaid bill and have amended the ſame accordgly.

The amended bill having been examined,

*Ordered*, That Mr. Philips and Mr. Robins return the bill to the Hon. the nate.

Mr. Carpenter from the committee of the whole Houſe on the bill entitled "An t for the relief of John Stevenſon," reported, that in proceeding in the ſaid bill d after the ſame had been read in the committee, the enacting clauſe thereof was ain read and is in the words following, viz.

Be it enacted by the people of the ſtate of New-York, repreſented in Senate and ſſembly. That it ſhall be lawful for the commiſſioners of the land-office and they e hereby directed to cauſe letters patent in the uſual form to iſſue to the ſaid John tevenſon, for the tract of land mentioned and deſcribed in the above recited letters atent to the ſaid James Stevenſon, deceaſed; if the ſame ſhall remain unappropried, on the ſaid John Stevenſon paying for the ſame to the Treaſurer of this ſtate, e ſum of ſeven hundred and fifty dollars.

That Mr. Arcularius made a motion that the committee ſhould agree to reject e ſame; that debates were had, and the queſtion having been put thereon, it was rried in the affirmative. That the yeas and nays were called for by Mr. M'Neil, conded by Mr. Speaker, and were as follow, viz.

*For the Affirmative.*

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|---|---|---|---|
| Mr. Abeel | Mr. Crocker | Mr. Lee | Mr. Savage |
| Mr. Adams | Mr. Cummings | Mr. Lefevre | Mr. Skidmore |
| Mr. Adgate | Mr. Deitz | Mr. Lott | Mr. A. Smith |
| Mr. Adriance | Mr. Dewey | Mr. M'Intyre | Mr. John Smith |
| Mr. Arcularius | Mr. De Witt | Mr. C. M'Kinstry | Mr. John M. Smith |
| Mr. Baldwin | Mr. Dodge | Mr. J. M'Kinstry | Mr. Joshua Smith |
| Mr. Barker | Mr. Floyd | Mr. M'Neil | Mr. Philip Smith |
| Mr. Blake | Mr. Fort | Mr. Micheau | Mr. Storm |
| Mr. Boyd | Mr. Furman | Mr. Moore | Mr. Swartwout |
| Mr. Bruyn | Mr. German | Mr. E. Mott | Mr. Teed |
| Mr. Burling | Mr. B. Gilbert | Mr. W. Mott | Mr. S. Ten Broeck |
| Mr. Burt | Mr. E. Gilbert | Mr. Nexen | Mr. Thomas |
| Mr. Butler | Mr. Gray | Mr. Ostrom | Mr. Van Benthuysen |
| Mr. Carpenter | Mr. Hall | Mr. Paine | Mr. Veeder |
| Mr. Clark | Mr. Honeywell | Mr. Pearce | Mr. Voorhis |
| Mr. Clift | Mr. Hopkins | Mr. Peck | Mr. Waren |
| Mr. Coe | Mr. Hunt | Mr. Robins | Mr. Westcott |
| Mr. Comstock | Mr. Landon | Mr. Root | Mr. Wolfe |
| Mr. Curl | | | |

*For the Negative.*

| | | | |
|---|---|---|---|
| Mr. Bill | Mr. Johnson | Mr. Philips | Mr. P. Ten Broeck |
| Mr. Doty | Mr. Kane | Mr. Prevost | Mr. Van Rensselaer |
| Mr. French | Mr. J. Lansingh | Mr. Speaker | Mr. Williamson |
| Mr. Hoag | | | |

Which report he read in his place and delivered the same in at the table, whe it was again read and agreed to by the House.

Thereupon, *Resolved*, That the said bill be and is hereby rejected.

A message from the Hon. the Council of Revision, delivered by the Hon. the Chi Justice, was read, that it does not appear improper to the Council that the bi entitled "An act to continue the Treasurer of this state in office," and the bi entitled "An act for the relief of Jabez Johnson," should respectively become law of this state.

Then the House resolved itself into a committee of the whole House on the message of his Excellency the Governor of the 21st instant, and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Doty from the said com mittee reported, that the committee had agreed to the following resolutions, viz.

*Resolved*, as the sense of this committee, That a committee be appointed to take into consideration so much of the message of his Excellency the Governor of the 21st inst. as relates to making provision for the punctual payment of the public debts, and that they report thereon to the House.

*Resolved*, as the sense of this committee, That a committee be appointed to take into consideration so much of the message of his Excellency the Governor of the 21st inst. as relates to the arsenal to be erected on the lot belonging to the state in the vicinity of Albany, and report thereon to the House.

Which he was directed to report to the House, and he read the report in his place and delivered the same in at the table, where it was again read and agreed to by the House. Thereupon,

*Resolved*, That a committee be appointed to take into consideration so much of the message of his Excellency the Governor of the 21st inst. as relates to the making provision for the punctual payment of the public debts, and that they report thereon to the House, and that Mr. Nexen, Mr. Butler, Mr. Dodge, Mr. Floyd and Mr. S. Ten Broeck be of the said committee.

*Resolved*, That a committee be appointed to take into consideration so much of the message of his Excellency the Governor of the 21st inst. as relates to the arsenal to be erected on the lot belonging to the state in the vicinity of the city of Albany, and report thereon to the House, and that Mr. Williamson, Mr. Philips, Mr. Schuyler, Mr. Pauling and Mr. Thomas be of the said committee.

Mr. Furman from the committee of the whole House on the bill entitled "An act authorizing the grant of certain lands to the society for the promotion of agriculture, arts and manufactures, reported, That after the said bill had been read through in the committee the enacting clause thereof was again read and is in the words following, viz.

Be it enacted by the people of the ſtate of New-York, repreſented in Senate and Aſſembly, That it ſhall and may be lawful to and for the commiſſioners of the land-office to deſignate in their diſcretion two of the lots reſerved of the military townſhips in the county of Onondaga for the promotion of literature, and to grant letters patent for the lots ſo deſignated to the ſaid ſociety, their ſucceſſors and aſſigns forever.

That debates were had thereon, and the queſtion having been put whether the committee did agree thereto it was carried in the affirmative. That the yeas and nays being called for by Mr. Cummings, ſeconded by Mr. W. Mott, were as follow, viz.

*For the Affirmative.*

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|---|---|---|---|---|
| Mr. Adgate | Mr. Floyd | Mr. Lott | Mr. Joshua Smith | |
| Mr. Adriance | Mr. French | Mr. M'Intyre | Mr. Philip Smith | |
| Mr. Arcularius | Mr. Gray | Mr. J. M'Kinſtry | Mr. Speaker | |
| Mr. Boyd | Mr. Hall | Mr. M'Neil | Mr. Storm | |
| Mr. Bruyn | Mr. Henry | Mr. Paine | Mr. Swartwout | |
| Mr. Burling | Mr. Hogeboom | Mr. Philips | Mr. P. Ten Broeck | |
| Mr. Clift | Mr. Hopkins | Mr. Prevoſt | Mr. S. Ten Broeck | |
| Mr. Coe | Mr. Hunt | Mr. Robins | Mr. Van Benthuyſen | |
| Mr. Deitz | Mr. Johnſon | Mr. Skidmore | Mr. Van Renſelaer | |
| Mr. Dodge | Mr. Landon | Mr. John Smith | Mr. Wolfe | 43 |
| Mr. Doty | Mr. J. Lanſingh | Mr. John M. Smith | | |

*For the Negative.*

| | | | | |
|---|---|---|---|---|
| Mr. Abeel | Mr. Crocker | Mr. Lee | Mr. Savage | |
| Mr. Adams | Mr. Cummings | Mr. C. M'Kinſtry | Mr. A. Smith | |
| Mr. Barker | Mr. Dewey | Mr. Micheau | Mr. Snell | |
| Mr. Blake | Mr. De Witt | Mr. Moore | Mr. Teed | |
| Mr. Burt | Mr. Gates | Mr. W. Mott | Mr. Thomas | |
| Mr. Butler | Mr. German | Mr. Oſtrom | Mr. Veeder | |
| Mr. Carpenter | Mr. B. Gilbert | Mr. Pearce | Mr. Vooshis | |
| Mr. Comſtock | Mr. Heermance | Mr. Peck | Mr. Waren | |
| Mr. Corl | Mr. C. Lanſingh | Mr. Root | Mr. Weſtcott | 36 |

Which he was directed to report to the Houſe, and he read the report in his place and delivered the ſame in at the table, where it was again read and agreed to by the Houſe, and the bill ordered the third reading.

*Reſolved*, That this Houſe will to-morrow reſolve itſelf into a committee of the whole Houſe on the bill entitled "An act to erect part of the county of Onondaga into a ſeparate county by the name of ."

Mr. John M. Smith purſuant to notice heretofore given, moved for a reſolution in the words following, viz.

*Reſolved*, if the Hon. the Senate concur herein, That the Legiſlature will adjourn on Monday the day of March next.

Mr. Savage made a motion that the conſideration of the ſaid reſolution be poſtponed until the 15th day of March next, and the queſtion having been put thereon it was carried in the affirmative. The yeas and nays being called for by Mr. John M. Smith, ſeconded by Mr. Teed, were as follow, viz.

*For the Affirmative.*

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|---|---|---|---|---|
| Mr. Abeel | Mr. Deitz | Mr. Honeywell | Mr. Prevoſt | |
| Mr. Adriance | Mr. Dewey | Mr. Hopkins | Mr. Savage | |
| Mr. Baldwin | Mr. Doty | Mr. Hunt | Mr. Schermerhorn | |
| Mr. Bill | Mr. Fort | Mr. Johnſon | Mr. Schuyler | |
| Mr. Blake | Mr. French | Mr. Kane | Mr. Shurtleff | |
| Mr. Burling | Mr. Furman | Mr. C. Lanſingh | Mr. Philip Smith | |
| Mr. Burt | Mr. German | Mr. M'Intyre | Mr. Thomas | |
| Mr. Coe | Mr Hall | Mr. C. M'Kinſtry | Mr. Van Benthuyſen | |
| Mr. Corl | Mr. Heermance | Mr. J. M'Kinſtry | Mr. Veeder | |
| Mr. Crocker | Mr. Henry | Mr. Oſtrom | Mr. Weſtcott | 43 |
| Mr. Cummings | Mr. Hogeboom | Mr. Paine | | |

*For the Negative.*

| | | | | |
|---|---|---|---|---|
| Mr. Adams | Mr. De Witt | Mr. Lott | Mr. A. Smith | |
| Mr. Adgate | Mr. Dodge | Mr. Micheau | Mr. John Smith | |
| Mr. Arcularius | Mr. Floyd | Mr. Moore | Mr. John M. Smith | |
| Mr. Barker | Mr. B. Gilbert | Mr. W. Mott | Mr. Joſhua Smith | |
| Mr. Boyd | Mr. E Gilbert | Mr. Nexen | Mr. Teed | |
| Mr. Bruyn | Mr. Gray | Mr. Pearce | Mr. P. Ten Broeck | |
| Mr. Butler | Mr. Landon | Mr. Peck | Mr. S. Ten Broeck | |
| Mr. Carpenter | Mr. J. Lanſingh | Mr Philips | Mr. Voorhis | |
| Mr. Clift | Mr. Lee | Mr. Root | Mr. Wolfe | 39 |
| Mr. Comſtock | Mr. Lefevre | Mr. Skidmore | | |

Then the Houſe adjourned until ten o'clock to-morrow morning.

SATURDAY, *ten o'clock, A. M. February 23d*, 1799.

The bill entitled "An act to amend the act entitled "An act to incorporate that part of the town of Schenectady therein mentioned," with the engroſſed amendments, was read the third time, and recommitted to a committee of the whole Houſe.

The bill entitled "An act directing the mode of granting letters of adminiſtration in certain caſes where perſons ſhall die inteſtate in the city of New-York," the bill entitled "An act relative to part of the ſouth boundary of the county of Columbia," the bill entitled "An act for the diſpoſal of certain timber to Silvanus Wilcox and William Gordon," the bill entitled "An act to ſubdivide the four great diſtricts of this ſtate for the election of Senators," the bill entitled "An act for the relief of John Lanſing, jun." and the bill entitled "An act further to amend the act entitled "An act to regulate highways," were ſeverally read the ſecond time and committed to a committee of the whole Houſe.

A petition of John G. Houſe and Iſaac Rappallja, relative to improvements by them made on land in the late Oneida reſervation, was read and referred to Mr. Oſtrom, Mr. Blake and Mr. German.

A petition of Hezekiah Brown, relative to a tract or parcel of land in the town of Amenia, and county of Dutcheſs, mortgaged to George Folliot, and ſold by the commiſſioners of forfeitures; and a petition of John I. Klock, relative to remiſſion of quit rent, were ſeverally read and referred to the Comptroller to report thereon.

A petition of the truſtees of the academy in Cherry-Valley, praying that a law may be paſſed authorizing them to raiſe 2000 dollars by lottery for the uſe and benefit of the ſaid academy; and the petition of John Grainger, praying relief as to a deciſion of the commiſſioners for ſettling diſputes concerning the titles to lands in the county of Onondaga, relative to a lot of land in ſaid county, were ſeverally read: Thereupon,

*Reſolved*, That the prayers of the ſaid petitioners reſpectively cannot be granted.

*Ordered*, That the petitioners have leave to withdraw their ſaid petitions.

A petition of John De Lancey and others, of the county of Weſtcheſter, relative to erecting a bridge, and laying out and making a road in ſaid county, was read and referred to Mr. Bill, Mr. Kane and Mr. Prevoſt.

A repreſentation of Peter Hughes, of the county of Onondaga, offering reaſons againſt the paſſing of the bill entitled "An act to erect part of the county of Onondaga into a ſeparate county by the name of ," was read and referred to the committee of the whole Houſe when on the ſaid bill.

A petition of George Wray and others, and a petition of Micajah Pettit and others, inhabitants of the county of Waſhington, relative to the erection of an additional court-houſe in the ſaid connty, and the holding of the courts alternately in the north and ſouth parts thereof, were ſeverally read and referred to the members attending this Houſe from the county of Waſhington.

A petition of William Burling and others, of the city of New-York, relative to the bridge at or near the mouth of Croton river, in the county of Weſtcheſter, was read and referred to Mr. Robins, Mr. A. Smith and Mr. Johnſon.

A petition of Joſiah Farwell and others, inhabitants of the town of Jay, in the county of Clinton, relative to the diſpoſal of the wild lands in the ſaid county belonging to the people of this ſtate, was read and referred to Mr. Adgate, Mr. Coe and Mr. Barker.

*Ordered*, That Mr. Nexen have leave of abſence for ten days.

*Ordered*, That the third reading of the bill entitled "An act to amend the act entitled "An act authorizing the grant of certain lands to the ſociety for the promotion of agriculture, arts and manufactures," be poſtponed until Tueſday next.

A meſſage from the Hon. the Council of Reviſion, tranſmitted to this Houſe by the Hon. the Senate, was read, that it does not appear improper to the Council that the bill entitled "An act concerning wolves and panthers," ſhould become a law of this ſtate.

A meſſage from the Hon. the Senate, delivered by Mr. Ganſevoort and Mr. Gelſton, with the bill therein mentioned, was read, that the Senate have paſſed the bill entitled "An act relative to the Oneida Indians," to which they requeſt the con-

rrence of this House. The said bill was read the first time and ordered a second eading.

A message from the Hon. the Senate, also delivered by Mr. Ganſevoort and Mr. elſton, with the bill and a copy of the reſolution therein mentioned, was read, hat the Senate do not concur with this House in their amendments to the bill entled "An act to explain the law and rectify miſtakes concerning the payment and emiſſion of quit rents."

*Ordered*, That the conſideration of the ſaid bill and amendments be poſtponed ntil Tueſday next.

A meſſage from the Hon. the Senate, alſo delivered by Mr. Ganſevoort and Mr. elſton, with the bill and a copy of the reſolution therein mentioned, was read, that he Senate do not concur with this Houſe in their firſt amendment to the bill entied "An act to amend the laws reſpecting the loan officers and ſupervisors of the veral counties of this ſtate," and do concur in the other amendment to the ſaid bill.

The bill and amendment which was not concurred in by the Hon. the Senate ere thereupon read, and the amendment having been read a ſecond time, thereupon,

*Reſolved*, That this Houſe do recede from their amendment to the ſaid bill which as not concurred in by the Hon. the Senate.

*Ordered*, That Mr. Root and Mr. Savage deliver the bill, and a copy of the preeding reſolution, to the Hon. the Senate.

The Comptroller to whom was referred the petition of Moſes Hetfield, reported, hat the petitioner ſtates that in the month of April, 1786, he deliverd to Henry Viſner, Eſq. public ſecurities or certificates, iſſued by the Treaſurer of this ſtate, xcept one iſſued by the Auditor of this ſtate, (all for his exertions and ſervices durg the late war) to the amount of 586l. 4s. 8d; which certificates the ſaid Henry Viſner, Eſq. loaned to this ſtate (except one, No. 6186, for 20l. 5s. 4d. and one o. 3426, for 111. 1s. 0d.) and for the certificates ſo loaned the ſaid Henry Wiſner ceived three new certificates from the Treaſurer, to wit, No. 4312 for 40l. and o. 4313 for 524l. 18s. 4d. for the principal, and No. 4312 for 66l. 7s. 10d. for of the intereſt thereof up to the 1ſt of January, 1785; that not long after the ſaid lenry Wiſner loaned the ſaid certificates to the ſtate, he was taken with a violent of the palſey; that the petitioner hath repeatedly applied to the ſaid Henry Wiſer for the ſaid certificates; that he always told the petitioner he never had made ſe of them nor diſpoſed of them to any perſon whatever, but that they were loſt or olen from him; that the petitioner hath made diligent ſearch in all the public ffices, and elſewhere, for thoſe certificates, but never hath been able to obtain any formation reſpecting them; and therefore as the ſtate hath had the benefit of the id certificates, the petitioner prays the Legiſlature to grant him relief by reſtoring him the property he conceives he is juſtly entitled to, and now in the Treaſury this ſtate.

As the application of the petitioner is founded on the ſuppoſition that the ſaid rtificates have not been paid by the ſtate, the Comptroller has examined the books, ccounts and vouchers in his office and in the Treaſury reſpecting the ſame, and it ereby appears that the ſaid certificate No. 3426, for 111. 1s. was iſſued to Joſeph Vebb, and was, with other certificates, loaned to the ſtate by Joſeph Gaſharie; and hat the ſaid certificate No. 6186, for 20l. 5s. 4d. was iſſued to Jedediah Thompſon, nd was, with other certificates, loaned to the ſtate by John Carpenter; and that purſuance of the act paſſed the 20th of February, 1789, directing the Treaſurer of his ſtate to cancel certain bills of credit, and certain certificates therein mentioned, he ſaid certificates No. 3426 and 6186 have been deſtroyed. Thoſe certificates ere delivered to the Treaſurer before the loan of the others was made by Wiſner. t alſo appears that the other certificates mentioned in the petition were iſſued to lenry Wiſner, jun. and that the ſaid certificates No. 4313, for 524l. 18s. 4d. and o. 4312, for 66l. 7s. 10d. were delivered by John Delafield to Gerard Bancker, the te Treaſurer of this ſtate, in exchange for continental ſecurities; and in purſuance f the act relative to the Treaſury of this ſtate, paſſed the 19th of March, 1798, ave been deſtroyed. It alſo appears that Gerard Bancker, the late Treaſurer, on e 20th of February, 1788, paid 16l. 12s. 0d. in full for one fourth part of the ſaid tereſt certificate No. 4312, to the ſaid Henry Wiſner, jun. to whom it was iſſued;

ſo that he muſt have then had that certificate in his poſſeſſion. No diſcovery has been made reſpecting the principal certificate, No. 4312, for 40l. The petitioner ſtates that it was delivered with the others to Wiſner. It may have been loſt or deſtroyed, or it may be yet in circulation; and under all the circumſtances of the caſe, the petitioner does not ſeem to be entitled to any relief from the ſtate.

All which is reſpectfully ſubmitted.

SAMUEL JONES, Comptroller.

*Albany, 22d February, 1779.*

*Reſolved*, That this Houſe do agree with the Comptroller in his ſaid report.

*Ordered*, That the petitioner have leave to withdraw his petition.

Purſuant to the order of the day the Houſe reſolved itſelf into a committee of the whole Houſe on the bill entitled "An act to erect a part of the county of Onondaga into a ſeparate county by the name of ," and after ſome time ſpent thereon, Mr. Speaker reſumed the chair, and Mr. Floyd from the ſaid committee, reported progreſs: Thereupon,

*Ordered*, That the committee of the whole Houſe be diſcharged from the further conſideration of the ſaid bill, and that it be referred to Mr. Paine, Mr. Swartwout, Mr. M'Neil, Mr. Bill and Mr. Oſtrom.

A meſſage from the Hon. the Senate, delivered by Mr. Gold and Mr. Gordon, with the bill entitled "An act to amend the laws reſpecting the loan officers and ſuperviſors in the ſeveral counties of this ſtate," was read, informing that the ſaid bill is amended agreeably to the amendment of this Houſe, concurred in by the Hon. the Senate.

The amended bill having been examined,

*Ordered*, That Mr. Swartwout and Mr. Schuneman return the bill to the Hon. the Senate.

Mr. Gates from committee of the whole Houſe on the bill entitled "An act to amend the act entitled "An act appointing a Comptroller in this ſtate," reported progreſs and obtained leave to ſit again.

Then the Houſe adjourned until ten o'clock to-morrow morning.

MONDAY, *ten o'clock, A. M. February 25th*, 1799.

The bill entitled "An act relative to the Oneida Indians," was read the ſecond time and committed to a committee of the whole Houſe.

A petition of the cordwainers in the city of New-York, relative to the great injury which they ſuſtain by reaſon of the manufactory of ſhoes eſtabliſhed in the ſtate-priſon, was read and referred to Mr. Wolfe, Mr. C. M'Kinſtry and Mr. Savage.

Mr. Gray from the committee to whom was referred the petition of Jacob Overoker and others, reported, that in the opinion of the committee the prayer of the petitioners ought to be granted, and that leave ſhould be given to bring in a bill for that purpoſe. Leave being given, Mr. Gray brought in a bill entitled "An act authorizing John Knickerbacker, jun. and others to build a toll bridge at Scaghtikoke Point in the county of Renſſelaer," which was read the firſt time and ordered a ſecond reading.

Mr. Weſtcott from the committee of the whole Houſe on the bill entitled "An act for the relief of John Hutchinſon and others," reported, that the committee had gone through the bill, filled up the blanks and agreed to the ſame without amendment, which report he read in his place and delivered the bill in at the table, where it was again read and agreed to by the Houſe.

*Ordered*, That the bill be engroſſed.

Mr. Peck from the committee of the whole Houſe on the bill entitled "An act to aſcertain the line of diviſion between the towns of Trenton and Remſen in the county of Oneida and for other purpoſes," reported, that the committee had gone through the bill and agreed to the ſame without amendment, which report he read in his place and delivered the bill in at the table, where it was again read and agreed to by the Houſe.

*Ordered*, That the bill be engroſſed.

A meſſage from his Excellency the Governor, delivered by his private ſecretary, was read, and is in the words following, viz.

GENTLEMEN,

I now lay before you an authenticated copy of an act of Congreſs which I have received for that purpoſe from the the Hon. James Watſon, Eſq. one of the members from this ſtate of the Senate of the United States. This act is entitled "An act reſpecting balances reported againſt certain ſtates by the commiſſioners appointed to ſettle the accounts between the United States and the ſeveral ſtates."

JOHN JAY.

*Albany, 25th February*, 1799.

*Ordered*, That the ſaid meſſage of his Excellency the Governor and the papers accompanying the ſame be committed to a committee of the whole Houſe.

Mr. M'Intyre from the committee of the whole Houſe on the bill entitled "An act to encourage and improve the manufacture and to provide for and regulate the inſpection of ſoal leather, likewiſe to guard againſt the gaſhing and cutting of hides and ſkins," reported, that in proceeding in the ſaid bill and after the ſame had been read in the committee, Mr. Wolfe made a motion that the committee ſhould agree to ſubſtitute in the room of the bill then under conſideration, a bill which was read and is entitled "An act for the inſpection of ſoal leather and to prevent the gaſhing and cutting of hides and ſkins," which was agreed to by the committee; that the committee had gone through the ſaid bill ſo ſubſtituted, made amendments, filled up the blanks and agreed to the ſame; which he was directed to report to the Houſe, and he read the report in his place and delivered the bill in at the table, where it was again read and agreed to by the Houſe.

*Ordered*, That the bill be engroſſed.

Three ſeveral petitions of inhabitants of the county of Waſhington, praying a law to incorporate a turnpike company to improve the road leading from Lanſingburgh to Vermont, were ſeverally read and referred to Mr. Philip Smith, Mr. Doty and Mr. Schermerhorn.

A petition of James Pettes and others, inhabitants of the county of Waſhington, praying a grant of vacant lands in the ſaid county, was read and referred to the Surveyor-General to report thereon.

A meſſage from the Hon. the Senate, delivered by Mr. Haight and Mr. Hatfield, with the bill and amendments therein mentioned, were read, that the Senate have paſſed the bill entitled "An act to amend the act entitled "An act to incorporate the Cayuga Bridge Company," with the amendments therewith delivered. The bill and amendments were read, and the amendments having been read the ſecond time, were concurred in by the Houſe and the bill ordered to be amended accordingly.

*Ordered*, That Mr. Schermerhorn and Mr. Schuneman deliver the bill to the Hon. the Senate and inform them that this Houſe have concurred in the amendments to the ſaid bill and that the ſame is amended accordingly.

Three ſeveral petitions from inhabitants of the county of Onondaga, relative to eſtabliſhing the court-houſe at the Cayuga Ferry, were read and referred to Mr. Bill, Mr. Clark, Mr. Robins, Mr. Carpenter, Mr. Clift, Mr. Floyd and Mr. M'Neil.

A petition of Jacob Jewitt, Gideon Knowlton and Anſon Green, teachers of ſchools in the county of Otſego, relative to the act for the encouragement of ſchools, was read and referred to Mr. Comſtock, Mr. Henry and Mr. Joſhua Smith.

A petition of the inhabitants of the village of Poughkeepſie in the county of Dutcheſs, praying that an act may be paſſed to incorporate them, was read and referred to Mr. Dodge, Mr. Pearce and Mr. Van Benthuyſen.

Twelve ſeveral remonſtrances from inhabitants of the county of Dutcheſs, againſt the diviſion of the ſaid county, were read and referred to Mr. Burt, Mr. Kane and Mr. Floyd.

Mr. French from the committee of the whole Houſe to whom was recommitted the bill entitled "An act to incorporate that part of the town of Schenectady therein mentioned," with the engroſſed amendments thereto, reported, that a motion was made that the clauſe moved by Mr. Hopkins on Friday laſt and agreed to as the ſame is inſerted on the journal of this Houſe of that day, ſhould be expunged; that debates aroſe, and the queſtion having been put thereon, it paſſed in the negative. That the yeas and nays being called for by Mr. Kane, ſeconded by Mr. Van Benthuyſen, were as follows, viz.

*For the Negative.*

| | | | |
|---|---|---|---|
| Mr. Adams | Mr. Crocker | Mr. Moore | Mr. John Smith |
| Mr. Adgate | Mr. Floyd | Mr. E. Mott | Mr. Joshua Smith |
| Mr. Admance | Mr. German | Mr. W. Mott | Mr. Snell |
| Mr. Anculaims | Mr. E. Gilbert | Mr. Oftrom | Mr. Swart |
| Mr. Barker | Mr. Hogeboom | Mr. Peck | Mr. Swartwout |
| Mr. Blake | Mr. Honeywell | Mr. Robins | Mr. Thomas |
| Mr. Brayn | Mr. Hunt | Mr. Savage | Mr. Van Benthuyfen |
| Mr. Burling | Mr. Johnfon | Mr. Schuneman | Mr. Veeder |
| Mr. Bunt | Mr. Landon | Mr. Shurtleff | Mr. Waren |
| Mr. Carpenter | Mr. Lee | Mr. Skidmore | Mr. Weftcott |
| Mr. Clark | Mr. M'Intyre | Mr. A. Smith | Mr. Wolfe 45 |
| Mr. Comftock | | | |

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Mr. Baldwin | Mr. Forman | Mr. Lott | Mr. Schuyler |
| Mr. Bill | Mr. B. Gilbert | Mr. M'Neil | Mr. John M. Smith |
| Mr. Clift | Mr. Gray | Mr. Micheau | Mr. Philip Smith |
| Mr. Coe | Mr. Heermance | Mr. Paine | Mr. Speaker |
| Mr. Cord | Mr. Henry | Mr. Pearce | Mr. Storm |
| Mr. Cummings | Mr. Hoag | Mr. Philips | Mr. Teed |
| Mr. Deitz | Mr. Hopkins | Mr. Prevoft | Mr. Van Renfselaer |
| Mr. Dewey | Mr. Kane | Mr. Schermerhorn | Mr. Voorhis 38 |
| Mr. Dodge | Mr. C. Lanfingh | | |

Which he was directed to report to the Houfe and he read the report in his place and delivered the fame in at the table, where it was again read and agreed to by the Houfe.

*Ordered*, That the amendments be engroffed.

Then the Houfe adjourned until ten o'clock to-morrow morning.

TUESDAY, *ten o'clock, A. M. February* 26*th*, 1799.

The engroffed bill entitled "An act to eftablifh a turnpike corporation for improving the ftate road from the houfe of John Weaver, in Water-Vliet, to Cherry-Valley, and to repeal the act therein mentioned," was read the third time.

*Refolved*, That the bill do pafs.

The engroffed bill entitled "An act to afcertain the line of divifion between the towns of Trenton and Remfen, in the county of Oneida, and for other purpofes," was read the third time.

*Refolved*, That the bill do pafs.

The engroffed bill entitled "An act for the infpection of foal leather, and to prevent the galling and cutting of hides and fkins," was read the third time.

*Refolved*, That the bill do pafs.

The engroffed bill entitled "An act for the relief of John Hutchinfon and others," was read the third time.

*Refolved*, That the bill do pafs.

*Ordered*, That Mr. Schuneman and Mr. Schuyler deliver the four laft mentioned bills to the Hon. the Senate, and requeft their concurrence to the faid bills refpectively.

The bill entitled "An act to amend the act entitled "An act to incorporate that part of the town of Schenectady therein mentioned," with the engroffed amendments, was read the third time.

*Refolved*, That the bill do pafs.

*Ordered*, That Mr. Prevoft and Mr. Root deliver the bill with the amendments to the Hon. the Senate, and inform them that this Houfe have paffed the bill with the amendments therewith delivered.

The bill entitled "An act authorizing John Knickerbacker, jun. and others to build a toll bridge at Scaghtikoke Point in the county of Renfselaer," was read the fecond time and committed to a committee of the whole Houfe.

A petition of James Mills and others, inhabitants of the towns of Fifhkill, Poughkeepfie and Beekman, and a petition of John Drake, jun. and Samuel Bogardus, relative to building a bridge near the mouth of Wappinger's Creek, were fevereally read and referred to the members attending this Houfe from the county of Dutchefs.

Sundry petitions from inhabitants of the county of Onondaga, relative to the di-
ion of the ſaid county, were ſeverally read and referred to Mr. Bill, Mr. Clark,
r. Robins, Mr. Carpenter, Mr. Clift, Mr. Floyd and Mr. M'Neil.

A petition of Ebenezer Boſtwick and others, reſiding in the county of Clinton,
aying grants of vacant lands in ſaid county, was read and referred to Mr. Ad-
te, Mr. Coe and Mr. Barker.

Mr. Adgate from the committee to whom was referred the petition of Lewis Ran-
n and others, reported, that after making due enquiry the committee find the facts
ted in the ſaid petition to be true, and that the petitioners are ſituate from 25 to
miles diſtant from the neareſt place of holding town meeting in either of the
wns mentioned by them. The committee are therefore of opinion that the prayer
the petitioners ought to be granted, and leave given to bring in a bill for that
rpoſe. Leave being given, Mr. Adgate brought in the ſaid bill entitled "An act
erect a town in Clinton county," which was read the firſt time and ordered a
cond reading.

Two ſeveral meſſages from the Hon. the Senate, delivered by Mr. Hatfield and
r. Hitchcock, with the bills therein reſpectively mentioned, were read, that the
nate have paſſed the bill entitled "An act relative to the bridge acroſs the Nor-
an's Kill near the city of Albany," and the bill entitled "An act relative to the
nds of the Cayuga Indians," and requeſting the concurrence of this Houſe to the
id bills reſpectively. The ſaid bills were reſpectively read the firſt time and or-
ered a ſecond reading.

A meſſage from the Hon. the Senate, alſo delivered by Mr. Hatfield and Mr.
itchcock, with the bill and a copy of the reſolution therein mentioned, were read,
at the Senate do not concur with this Houſe in their amendments to the bill en-
led "An act to amend an act entitled "An act to incorporate that part of the
wn of Schenectady therein mentioned."

*Ordered*, That the conſideration of the ſaid amendments be poſtponed.

A meſſage from the Hon. the Council of Reviſion, tranſmitted to this Houſe by
e Hon. the Senate, was read, that it does not appear improper to the Council
at the bill entitled "An act to provide againſt infectious and peſtilential diſeaſes,"
nd the bill entitled "An act to amend the laws reſpecting the loan-officers and
perviſors of the ſeveral counties of this ſtate," ſhould reſpectively become laws
f this ſtate.

Purſuant to the order of the day, the Houſe reſolved itſelf into a committee of the
hole Houſe on the bill entitled "An act for the aſſeſſment and collection of taxes,"
nd after ſome time ſpent thereon, Mr. Speaker reſumed the chair, and Mr. Dewey
om the ſaid committee reported progreſs and obtained leave to ſit again.

Mr. Furman from the committee appointed to take into conſideration that part
f the meſſage of his Excellency the Governor of the 5th January laſt, relative to
cenſing inns and taverns, reported, that they have examined the ſeveral laws rela-
ve thereto, and are of opinion that it would be of public utility to amend the
me; that the committee have prepared a bill for that purpoſe and have directed
im to move for leave to bring in the ſame. Leave being given, Mr. Furman
rought in the ſaid bill entitled "An act to amend an act entitled "An act to lay
duty on ſtrong liquors and for the regulating inns and taverns," which was read
e firſt time and ordered a ſecond reading.

Mr. Butler from the committee to whom were referred ſundry petitions from in-
abitants of the towns of Freehold, Cattſkill and Coxſackie, praying to be erected
nto a ſeparate county, reported, that from the local ſituation of the petitioners the
ommittee are of opinion they are entitled to relief; that the committee have pre-
ared a bill for that purpoſe and have directed him to move for leave to bring in
e ſame. Thereupon,

*Ordered*, That the conſideration of the ſaid report be poſtponed.

The ſeveral orders of the day were further poſtponed until to-morrow.

Then the Houſe adjourned until ten o'clock to-morrow morning.

WEDNESDAY, *ten o'clock, A. M. February 27th, 1799.*

The bill entitled "An act relative to the lands of the Cayuga Indians," the bill entitled "An act relative to the bridge acroſs the Norman's Kill near the city Albany," the bill entitled "An act to erect a town in Clinton county," and the bill entitled "An act to amend an act entitled "An act to lay a duty on ſtrong liquors and for regulating inns and taverns," were ſeverally read the ſecond time and committed to a committee of the whole Houſe.

A repreſentation and petition of the chiefs of the Oneida and Tuſcarora Indians relative to prohibiting the ſale of ſpirituous liquors among them, was read, and referred to Mr. Burling, Mr. Waren and Mr. Veeder.

Mr. M'Neil from the committee to whom was referred the petition of John W. Bloomfield and others, reported, that the committee have examined the facts ſtated in the ſaid petition, and find that the evils complained of, really exiſt, and are therefore of opinion that the petitioners are entitled to relief; that for this purpoſe the committee have prepared a bill, and have directed him to move for leave to bring in the ſame. Leave being given, Mr. M'Neil brought in the ſaid bill entitled "An act to divide the town of Mexico in the county of Oneida," which was read the firſt time and ordered a ſecond reading.

Mr. Dodge from the committee to whom was committed the petition of the inhabitants of the village of Poughkeepſie, reported, that in the opinion of the committee the prayer of the petitioners ought to be granted; that they have prepared a bill for that purpoſe, and have directed him to move for leave to bring in the ſame. Leave being given, Mr. Dodge brought in the ſaid bill entitled "An act to veſt certain powers in the freeholders and inhabitants of the village of Poughkeepſie," which was read the firſt time and ordered a ſecond reading.

Mr. Burt from the committee to whom were referred the ſeveral petitions of freeholders and inhabitants of the counties of Dutcheſs and Weſtcheſter, relative to the erection of a new county, reported, that in the opinion of the committee it is inexpedient and unneceſſary, inaſmuch as it appears on the part of the county of Dutcheſs, that the inconveniences complained of do not exiſt in a greater degree than muſt be experienced by ſome, even if the contemplated alteration ſhould take place; and on the part of Weſtcheſter county, that the ſame is already ſufficiently ſituated and accommodated with two court-houſes ſo ſituated as to make the ſame of eaſy acceſs to all the inhabitants of ſaid county; beſides, it appears to the committee that the propoſed new county would take in the whole of the mountains between the Fiſh Kill and the Croton river, being a tract of country much of which is incapable of cultivation, and the ſupport of the county would become very burdenſome to the inhabitants. The committee are therefore of opinion that the petitioners have leave to withdraw their petitions.

*Reſolved*, That this Houſe do concur with the committee in their ſaid report.

Mr. Bill from the committee to whom were referred ſundry petitions from inhabitants of the county of Onondaga, reported, that in the opinion of the committee the court-houſe in the new county propoſed to be erected and to be called Cayuga, ought to be eſtabliſhed at the Cayuga Ferry, and that the committee have learnt there is now at that place a building ſufficient to accommodate the court and alſo ſuitable entertainment for perſons attending.

*Reſolved*, That this Houſe do concur with the committee in their ſaid report.

The Houſe proceeded to the conſideration of the amendments of this Houſe to the bill entitled "An act to amend an act entitled "An act to incorporate that part of the town of Schenectady therein mentioned," which were not concurred to by the Hon. the Senate. The bill and amendments were read and conſidered, and the amendments were read and reconſidered: a motion was made that this Houſe do recede from their amendments to the ſaid bill, and the queſtion having been put thereon, it was carried in the affirmative. The yeas and nays being called for by Mr. Schermerhorn, ſeconded by Mr. Van Renſſelaer, were as follow, viz.

*For the Affirmative.*

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|---|---|---|---|---|
| Mr. Abeel | Mr. French | Mr. M'Intye | Mr. Schermerhorn | |
| Mr. Baldwin | Mr. Furman | Mr. C. M'Kinſtry | Mr. Schuyler | |
| Mr. Barker | Mr. Gates | Mr. J. M'Kinſtry | Mr. Shurtleff | |
| Mr. Bill | Mr. German | Mr. M'Neil | Mr. John M. Smith | |
| Mr. Boyd | Mr. B. Gilbert | Mr. Micheau | Mr. Joſhua Smith | |
| Mr. Bruyn | Mr. Gray | Mr. Moore | Mr. Philip Smith | |
| Mr. Butler | Mr. Hall | Mr. E. Mott | Mr. Snell | |
| Mr. Clark | Mr. Heermance | Mr. W. Mott | Mr. Storm | |
| Mr. Clift | Mr. Henry | Mr. Paine | Mr. Teed | |
| Mr. Coe | Mr. Hoag | Mr. Pauling | Mr. P. Ten Broeck | |
| Mr. Crocker | Mr. Hogeboom | Mr. Pearce | Mr. S. Ten Broeck | |
| Mr. Cummings | Mr. Hopkins | Mr. Peck | Mr. Thomas | |
| Mr. Deitz | Mr. Kane | Mr. Philips | Mr. Van Renſselaer | |
| Mr. Dewey | Mr. C. Lanſingh | Mr. Prevoſt | Mr. Veeder | |
| Mr. Dodge | Mr. J. Lanſingh | Mr. Reynolds | Mr. Voorhis | |
| Mr. Doty | Mr. Lefevre | Mr. Savage | Mr. Weſtcott | 66 |
| Mr. Floyd | Mr. Lott | | | |

*For the Negative.*

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|---|---|---|---|---|
| Mr. Adams | Mr. Carpenter | Mr. Oſtrom | Mr. John Smith | |
| Mr. Adgate | Mr. Comſtock | Mr. Robins | Mr. Swart | |
| Mr. Adriance | Mr. Hunt | Mr. Schuneman | Mr. Swartwout | |
| Mr. Arcularius | Mr. Johnſon | Mr. Skidmore | Mr. Van Benthuyſen | |
| Mr. Blake | Mr. Landon | Mr. A. Smith | Mr. Waren | |
| Mr. Burling | Mr. Lee | Mr. H. Smith | Mr. Wolfe | 25 |
| Mr. Burt | | | | |

Thereupon, *Reſolved*, That this Houſe do recede from their ſaid amendments.

*Ordered*, That Mr. Schuyler and Mr. Skidmore deliver the bill to the Hon. the Senate, and inform them that this Houſe have receded from their amendments to the ſaid bill, and have paſſed the ſame without amendment.

A meſſage from the Hon. the Senate, delivered by Mr. Hitchcock and Mr. Jones, with the bill therein mentioned, was read, that the Senate have paſſed the bill entitled "An act to divide the county of Clinton," to which they requeſt the concurrence of this Houſe. The ſaid bill was read the firſt time, and by unanimous conſent was alſo read the ſecond time and committed to Mr. Hopkins, Mr. Comſtock, Mr. Adgate, Mr. Pearce and Mr. Gray.

A meſſage from the Hon. the Senate, alſo delivered by Mr. Hitchcock and Mr. Jones, with the bill therein mentioned, was read, that the Senate have paſſed the bill entitled "An act for the relief of creditors and bail of perſons ſentenced to the ſtate priſon," to which they requeſt the concurrence of this Houſe.

The ſaid bill was read the firſt time and ordered a ſecond reading.

The Hon. the Senate returned by Mr. Hitchcock and Mr. Jones, the bill entitled "An act to amend the act entitled "An act to incorporate the Cayuga Bridge Company."

*Ordered*, That Mr. Skidmore and Mr. A. Smith deliver the bill to the Hon. the Council of Reviſion.

Purſuant to the order of the day, the Houſe reſolved itſelf into a committee of the whole Houſe on the bill entitled "An act to amend the act entitled "An act to organize the militia of this ſtate," and after ſome time ſpent thereon, Mr. Speaker reſumed the chair, and Mr. Prevoſt from the ſaid committee reported the proceedings of the committee to have been as follows, viz. That in proceeding in the ſaid bill Mr. Thomas moved to inſert a clauſe, which was read and is in the words following, viz.

"And be it further enacted, That as ſoon as any perſon has been enrolled in any of the companies of infantry in this ſtate he ſhall be conſidered to be enrolled in any and every company in the beat of which he may reſide, from the time he ſhall come to reſide in ſuch beat; any law to the contrary notwithſtanding."

That the queſtion having been put on the ſaid motion of Mr. Thomas, it paſſed in the negative. The yeas and nays being called for by Mr. Hopkins, ſeconded by Mr. Crocker, were as follows, viz.

*For the Negative.*

| | | | |
|---|---|---|---|
| Mr. Adriance | Mr. Fort | Mr. C. M'Kinſtry | Mr. Philip Smith |
| Mr. Arcularius | Mr. German | Mr. J. M'Kinſtry | Mr. Speaker |
| Mr. Baldwin | Mr. Gray | Mr. Micheau | Mr. Storm |
| Mr. Blake | Mr. Hall | Mr. Moore | Mr. Swart |
| Mr. Boyd | Mr. Heermance | Mr. E. Mott | Mr. Swartwout |
| Mr. Burt | Mr. Hogeboom | Mr. Oſtrom | Mr. P. Ten Broeck |
| Mr. Clark | Mr. Kane | Mr. Schermerhorn | Mr. S. Ten Broeck |
| Mr. Clift | Mr. Landon | Mr. Schuyler | Mr. Thomas |
| Mr. Dewey | Mr. C. Lanſingh | Mr. Skidmore | Mr. Van Renſſelaer |
| Mr. Doty | Mr. Lefevre | Mr. John Smith | Mr. Weſtcott |
| Mr. Floyd | Mr. Lott | Mr. Joſhua Smith | Mr. Wolfe |

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Mr. Abeel | Mr. Cummings | Mr. Johnſon | Mr. Savage |
| Mr. Adams | Mr. Deitz | Mr. J. Lanſingh | Mr. Schuneman |
| Mr. Barker | Mr. De Witt | Mr. Lee | Mr. A. Smith |
| Mr. Bill | Mr. Dodge | Mr. M'Intyre | Mr. H. Smith |
| Mr. Bruyn | Mr. Gates | Mr. M'Neil | Mr. John M. Smith |
| Mr. Burling | Mr. B. Gilbert | Mr. W. Mott | Mr. Teed |
| Mr. Butler | Mr. Henry | Mr. Pauling | Mr. Van Benthuyſen |
| Mr. Campbell | Mr. Hoag | Mr. Pearce | Mr. Veeder |
| Mr. Comſtock | Mr. Hopkins | Mr. Peck | Mr. Waren |
| Mr. Crocker | Mr. Hunt | Mr. Reynolds | |

That in proceeding further in the ſaid bill, the tenth enacting clauſe thereof was read, and is in the words following, viz.

And be it further enacted, That the militia of this ſtate ſhall be conſidered to be under arms from the riſing until the ſetting of the ſun of the ſame day that they ſhall be ordered out by law for improvement or inſpection.

That Mr. Hopkins made a motion to expunge from the ſaid clauſe the words "the riſing until the ſetting of the ſun," for the purpoſe of inſerting in lieu thereof the words "from of the clock in the morning until of the clock in the afternoon;" that the queſtion having been put thereon, it paſſed in the negative; that the yeas and nays were called for by Mr. Hopkins, ſeconded by Mr. Savage, and were as follows, viz.

*For the Negative.*

| | | | |
|---|---|---|---|
| Mr. Adams | Mr. De Witt | Mr. Lefevre | Mr. Schuneman |
| Mr. Baldwin | Mr. Dodge | Mr. Lott | Mr. Schuyler |
| Mr. Barker | Mr. Doty | Mr. M'Intyre | Mr. Skidmore |
| Mr. Bill | Mr. Floyd | Mr. C. M'Kinſtry | Mr. H. Smith |
| Mr. Blake | Mr. Fort | Mr. J. M'Kinſtry | Mr. Joſhua Smith |
| Mr. Boyd | Mr. Gates | Mr. M'Neil | Mr. Speaker |
| Mr. Bruyn | Mr. German | Mr. Micheau | Mr. Storm |
| Mr. Burling | Mr. B. Gilbert | Mr. Moore | Mr. Swart |
| Mr. Burt | Mr. Hall | Mr. E. Mott | Mr. Swartwout |
| Mr. Butler | Mr. Henry | Mr. Oſtrom | Mr. S Ten Broeck |
| Mr. Campbell | Mr. Hoag | Mr. Pauling | Mr. Thomas |
| Mr. Clark | Mr. Hogeboom | Mr. Pearce | Mr. Van Renſſelaer |
| Mr. Clift | Mr. Johnſon | Mr. Peck | Mr. Voorhis |
| Mr. Coe | Mr. Kane | Mr. Reynolds | Mr. Weſtcott |
| Mr. Cummings | Mr. King | Mr. Robins | Mr. Wolfe |
| Mr. Dewey | Mr. Landon | Mr. Schermerhorn | |

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Mr. Abeel | Mr. Gray | Mr. W. Mott | Mr. Teed |
| Mr. Adriance | Mr. Hopkins | Mr. Savage | Mr. P. Ten Broeck |
| Mr. Arcularius | Mr. Hunt | Mr. A. Smith | Mr. Van Benthuyſen |
| Mr. Comſtock | Mr. C. Lanſingh | Mr. John M. Smith | Mr. Veeder |
| Mr. Crocker | Mr. J. Lanſingh | Mr. Snell | Mr. Waren |
| Mr. Deitz | Mr. Lee | | |

That Mr. Hopkins then made a motion that the whole of the ſaid tenth clauſe ſhould be expunged, and the queſtion having been put thereon, it alſo paſſed in the negative; that the yeas and nays were called for by Mr. Hopkins, ſeconded by Mr. Van Benthuyſen, and were as follows, viz.

*For the Negative.*

| | | | |
|---|---|---|---|
| r. Adams | Mr. De Witt | Mr. Lott | Mr. Schuyler |
| r. Baldwin | Mr. Dodge | Mr. C. M'Kinſtry | Mr. Skidmore |
| r. Barker | Mr. Doty | Mr. J. M'Kinſtry | Mr. H. Smith |
| r. Bill | Mr. Floyd | Mr. M'Neil | Mr. Joſhua Smith |
| r. Blake | Mr. Fort | Mr. Micheau | Mr. Speaker |
| r. Boyd | Mr. Gates | Mr. Moore | Mr. Storm |
| r. Bruyn | Mr. German | Mr. Oſtrom | Mr. Swart |
| r. Burling | Mr. Hall | Mr. Pauling | Mr. Swartwout |
| r. Burt | Mr. Hoag | Mr. Pearce | Mr. S. Ten Broeck |
| r. Butler | Mr. Hogeboom | Mr. Philips | Mr. Thomas |
| r. Carpenter | Mr. Johnſon | Mr. Reynolds | Mr. Van Renſſelaer |
| r. Clark | Mr. King | Mr. Robins | Mr. Voorhis |
| r. Clift | Mr. Landon | Mr. Schermerhorn | Mr. Weſtcott |
| r. Coe | Mr. Lefevre | Mr. Schuneman | Mr. Wolfe 56 |

*For the Affirmative.*

| | | | |
|---|---|---|---|
| r. Abeel | Mr. Gray | Mr. E. Mott | Mr. Snell |
| r. Adriance | Mr. Henry | Mr. W. Mott | Mr. Teed |
| r. Arcularius | Mr. Hopkins | Mr. Peck | Mr. P. Ten Broeck |
| r. Comſtock | Mr. Hunt | Mr. Savage | Mr. Van Benthuyſen |
| r. Crocker | Mr. Kane | Mr. A. Smith | Mr. Veeder |
| r. Deitz | Mr. C. Lanſingh | Mr. John M. Smith | Mr. Waren 26 |
| r. B. Gilbert | Mr. Lee | | |

Mr. Prevoſt further reported, that the committee had gone through the bill, made mendments, added clauſes, filled up the blanks and agreed to the ſame, which he as directed to report to the Houſe, and he read the report in his place, and delivered the bill and amendments in at the table, where they were again read and agreed to y the Houſe.

*Ordered*, That the bill be engroſſed.

*Ordered*, That the conſideration of the report of the committee reſpecting the ſale f real eſtates on execution be further poſtponed until Thurſday the 7th of March next.

The ſeveral orders of the day were further poſtponed until to-morrow.

Then the Houſe adjourned until ten o'clock to-morrow morning.

THURSDAY, *ten o'clock, A. M. February 28th*, 1799.

The bill entitled "An act for the relief of creditors and bail of perſons ſentenced to the ſtate priſon," was read the ſecond time and committed to a committee of the whole Houſe.

The bill entitled "An act to veſt certain powers in the freeholders and inhabitants of the village of Poughkeepſie," was read the ſecond time and committed to the members attending this Houſe from the county of Dutcheſs.

The bill entitled "An act to divide the town of Mexico in the county of Oneida," was read the ſecond time and committed to the members attending this Houſe from the county of Oneida.

*Ordered*, That the committee of the whole Houſe be diſcharged from the further conſideration of the bill entitled "An act to incorporate a part of Stephentown for the purpoſes therein mentioned," and that the ſame be committed to the members attending this Houſe from the county of Renſſelaer.

A petition of Daniel Hill, praying compenſation for lands ceded by this ſtate to the ſtate of Vermont, was read, and referred to Mr. Philip Smith, Mr. Doty and Mr. Schermerhorn.

Mr. Hopkins from the ſelect committee to whom was committed the bill entitled "An act to divide the county of Clinton," reported, that the committee had gone through the bill and agreed to the ſame without amendment, which report he read in his place and delivered the ſame in at the table, where it was again read and agreed to by the Houſe and the bill ordered a third reading.

Mr. Voorhis from the committee to whom was referred the petition of Ann Lane and others, reported, that they have carefully examined the petition and papers accompanying the ſame, from whence it appears that Captain Timothy Hughes left the army of the United States ſome time previous to the paſſing of the law granting bounty lands, and conſequently in the opinion of the committee was not entitled to

the benefits thereof; therefore in the opinion of the committee the prayer of the petitioners ought not to be granted.

*Reſolved*, That this Houſe do agree with the committee in their ſaid report.

Mr. Paine from the committee to whom was committed the bill entitled "An act to erect a part of the county of Onondaga into a ſeparate county by the name of ——," reported, that the committee had gone through the bill, made amendments, added clauſes & altered the title, that the altered title is "An act to divide the county of Onondaga," which he was directed to report to the Houſe, & he read the report in his place and delivered the bill in at the table, where it was again read; thereupon,

*Ordered*, That the ſaid bill be recommitted to a committee of the whole Houſe.

Mr. Doty from the committee to whom was referred the petition of David Tomlinſon, reported, That they have taken into conſideration the ſaid petition, and alſo the proviſion and encouragement held out by the act for the encouragement of ſchools to induce perſons to believe that the annual appropriations as in and by the ſaid act is provided, would be punctually paid by the Treaſurer, eſpecially as the ſame had been paid without heſitation for the two firſt years after the paſſing of the ſaid act; and the ſupervisors of the ſeveral counties had made proviſion for the raiſing of the ſums in the ſeveral towns in the ſtate agreeable to law; and as the committee as well from their own knowledge as from undoubted information, are convinced that very conſiderable ſums have been advanced by many other individuals as well as the ſaid petitioner, for the uſe of ſchools, in full confidence that it would be refunded out of the ſums to be paid by the ſtate Treaſurer; the committee are therefore of opinion that proviſion ought to be made by law to enable the Treaſurer to pay to the reſpective county treaſurers (at leaſt) the ſums that ought to have been paid to the reſpective counties by virtue of the act aforeſaid for the two years paſt.

*Reſolved*, That this Houſe do concur with the committee in their ſaid report.

*Ordered*, That the ſame committee do prepare and bring in a bill purſuant to their report.

The order of the day having been read, the Houſe proceeded to the conſideration of their amendments to the bill entitled "An act to explain the law and rectify miſtakes reſpecting the payment and remiſſion of quit rents," not concurred in by the Hon. the Senate. The ſaid amendment was again read and debates had thereon; Mr. Speaker put the queſtion whether the Houſe did adhere to their amendment, and it was carried in the affirmative. Thereupon,

*Reſolved*, That this Houſe do adhere to their ſaid amendment.

*Ordered*, That Mr. John M. Smith and Mr. Joſhua Smith deliver the bill, amendment and a copy of the preceding reſolution to the Hon. the Senate.

Purſuant to the further order of the day, the bill entitled "An act authorizing the grant of certain lands to the ſociety for the promotion of agriculture, arts and manufactures," was read the third time. Mr. Speaker put the queſtion whether the ſaid bill ſhould paſs, and it paſſed in the negative. The yeas and nays being called for by Mr. Peck, ſeconded by Mr. French, were as follows, viz.

*For the Negative.*

| | | | |
|---|---|---|---|
| Mr. Adams | Mr. Deitz | Mr. C. Lanſingh | Mr. Schuneman |
| Mr. Baldwin | Mr. Dewey | Mr. Lee | Mr. Schuyler |
| Mr. Barker | Mr. De Witt | Mr. Lott | Mr. Skidmore |
| Mr. Bill | Mr. Dodge | Mr. C. M'Kinſtry | Mr. A. Smith |
| Mr. Blake | Mr. Doty | Mr. Michean | Mr. H. Smith |
| Mr. Burling | Mr. Fort | Mr. Moore | Mr. Swart |
| Mr. Burt | Mr. Gates | Mr. E. Mott | Mr. Teed |
| Mr. Butler | Mr. German | Mr. W. Mott | Mr. P. Ten Broeck |
| Mr. Campbell | Mr. B. Gilbert | Mr. Oſtrom | Mr. S. Ten Broeck |
| Mr. Carpenter | Mr. E. Gilbert | Mr. Paine | Mr. Van Benthuyſen |
| Mr. Clark | Mr. Heermance | Mr. Pearce | Mr. Veeder |
| Mr. Clift | Mr. Hogeboom | Mr. Peck | Mr. Voorhis |
| Mr. Comſtock | Mr. Honeywell | Mr. Reynolds | Mr. Waren |
| Mr. Crocker | Mr. Hopkins | Mr. Savage | Mr. Weſtcott |
| Mr. Cummings | Mr. Johnſon | | |

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Mr. Arcularius | Mr. Gray | Mr. M'Intyre | Mr. John Smith |
| Mr. Boyd | Mr. Hall | Mr. J. M'Kinſtry | Mr. John M. Smith |
| Mr. Bruyn | Mr. Hoag | Mr. M'Neil | Mr. Joshua Smith |
| Mr. Coe | Mr. Hunt | Mr. Prevoſt | Mr. Philip Smith |
| Mr. Floyd | Mr. Kane | Mr. Robins | Mr. Storm |
| Mr. French | Mr. Landon | Mr. Schermerhorn | Mr. Swartwout |
| Mr. Furman | Mr. J. Lanſingh | Mr. Shurtleff | Mr. Wolfe |

Pursuant to the further order of the day, the House proceeded to the consideration of the report of the committee on the petition of James M'Gourck, which report is entered on the journal of this House on the 21st inst. The said report having been read and debates had thereon, Mr. Swartwout moved a resolution in the words following, viz.

*Resolved*, That the report of the committee on the petition of James M'Gourck be referred to a committee consisting of with instructions to report what provision and relief if any ought to be made or given to the said James M'Gourck and all persons in similar situations.

Mr. Speaker put the question on the said motion of Mr. Swartwout, and it was carried in the affirmative. The yeas and nays being called for by Mr. Prevost, seconded by Mr. Philip Smith, were as follows, viz.

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Mr. Adriance | Mr. Floyd | Mr. Lefevre | Mr. Schuyler |
| Mr. Arcularius | Mr. Fort | Mr. Lott | Mr. Shurtleff |
| Mr. Baldwin | Mr. French | Mr. J. M'Kinstry | Mr. Skidmore |
| Mr. Barker | Mr. Furman | Mr. M'Neil | Mr. H. Smith |
| Mr. Blake | Mr. Gates | Mr. Micheau | Mr. Snell |
| Mr. Burling | Mr. B. Gilbert | Mr. Moore | Mr. Storm |
| Mr. Burt | Mr. E. Gilbert | Mr. E. Mott | Mr. Swartwout |
| Mr. Butler | Mr. Hall | Mr. Paine | Mr. Teed |
| Mr. Campbell | Mr. Heermance | Mr. Pearce | Mr. P. Ten Broeck |
| Mr. Carpenter | Mr. Henry | Mr. Peck | Mr. S. Ten Broeck |
| Mr. Clark | Mr. Hoag | Mr. Philips | Mr. Van Rensselaer |
| Mr. Coe | Mr. Hogeboom | Mr. Robins | Mr. Veeder |
| Mr. Crocker | Mr. Honeywell | Mr. Savage | Mr. Voorhis |
| Mr. Cummings | Mr. Johnson | Mr. Schermerhorn | Mr. Waren |
| Mr. Dewey | Mr. C. Lansingh | Mr. Schuneman | Mr. Wolfe 65 |
| Mr. Dodge | | | |

*For the Negative.*

| | | | |
|---|---|---|---|
| Mr. Adams | Mr. Gray | Mr. Lee | Mr. John M. Smith |
| Mr. Bill | Mr. Hopkins | Mr. W. Mott | Mr. Joshua Smith |
| Mr. Boyd | Mr. Hunt | Mr. Prevost | Mr. Philip Smith |
| Mr. Comstock | Mr. Kane | Mr. Reynolds | Mr. Swart |
| Mr. De Witt | Mr. Landon | Mr. A. Smith | Mr. Van Benthuysen |
| Mr. Doty | Mr. J. Lansingh | Mr. John Smith | Mr. Westcott 25 |
| Mr. German | | | |

Thereupon, *Resolved*, That the report of the committee on the petition of James M'Gourk be referred to a committee consisting of Mr. Swartwout, Mr. J. M'Kinstry, Mr. French, Mr. Van Rensselaer and Mr. Teed, with instructions to report what provision and relief, if any, ought to be made or given to the said James M'Gourk and all persons in similar situations.

Mr. Comstock from the committee to whom was referred the petition of the children of Jacob Tremper, deceased, reported, that the committee have taken the said petition into consideration, and are of opinion the petitioners are entitled to relief. They have examined the laws of the state relative to the partition of lands, and are of opinion that they ought to be amended in such manner as to relieve the petitioners, and others in like situations; for which purpose the committee have prepared a bill entitled "An act to amend the laws of this state for the partition of lands," and directed their chairman to ask leave to bring in the same. Leave being given, Mr. Comstock brought in the said bill, entitled "An act to amend the laws for the partition of lands," which was read the first time and ordered a second reading.

*Ordered*, That the committee to whom was referred the petition of William Adams be discharged from any further consideration thereof, and that the same be referred to Mr. Swartwout, Mr. J. M'Kinstry, Mr. French, Mr. Van Rensselaer and Mr. Teed.

*Ordered*, That the committee of the whole House be discharged from the further consideration of the bill entitled "An act for the disposal of certain timber to William Gordon and Silvenus Wilcox," and that the same be committed to Mr. Fort, Mr. Gray, Mr. Coe, Mr. Reynolds and Mr. Veeder.

*Ordered*, That Mr. Williamson have leave of absence for ten days, Mr. Lee for eight days, Mr. C. Lansing for three days, Mr. C. M'Kinstry for two days and Mr. W. Mott for two days.

A remonſtrance of Peter Meſier and others, inhabitants of the county of Dutcheſs, againſt the erection of a bridge at or near the mouth of Wapping's creek, was read and referred to the members attending this Houſe from the county of Dutcheſs.

A petition of David Hickock, praying that the amount of a certificate which has been a long time miſlaid, may be liquidated, was read and referred to Mr. Clift, Mr. S. Ten Broeck and Mr. Micheau.

A petition of the ſupervifors of the county of Herkimer, praying that they may be enabled, by law, to raiſe four hundred dollars by tax to be applied towards finiſhing the court-houſe in ſaid county, was read and referred to the members attending this Houſe from the county of Herkimer.

A copy of a reſolution of the Hon. the Senate, delivered by Mr. Jones and Mr. L'Hommedieu, was read, and is in the words following, viz.

*Reſolved*, That a conference be held with the Hon. the Aſſembly to-morrow at twelve of the clock, at ſuch place as they ſhall be pleaſed to appoint for that purpoſe, on their amendment to the bill entitled "An act to explain the law and rectify miſtakes reſpecting the payment and remiſſion of quit rent," and not concurred in by the Senate; and that Mr. Jones, Mr. Tillotſon and Mr. Addiſon be a committee to manage the ſaid conference on the part of the Senate.

*Reſolved*, That this Houſe will meet the Hon. the Senate in the Aſſembly chamber to-morrow, at twelve of the clock, to hold a conferrence on the amendment of this Houſe to the bill entitled "An act to explain the law and rectify miſtakes reſpecting the payment and remiſſion of quit rent," which has not been concurred in by the Hon. the Senate, and that Mr. Prevoſt, Mr. Swartwout and Mr. Peck be a committee to manage the ſaid conference on the part of this Houſe.

*Ordered*, That Mr. H. Smith and Mr. John M. Smith deliver a copy of the preceding reſolution to the Hon. the Senate.

Mr. M'Neil from the committee of the whole Houſe on the bill entitled "An act relative to the diviſion of towns," reported, that in proceeding in the ſaid bill, and after the ſame had been read, a motion was made that the ſaid bill be rejected; that debates were had, and the queſtion having been put thereon, it was carried in the affirmative, which he was directed to report to the Houſe, and he read the report in his place, and delivered the ſame in at the table, where it was again read and agreed to by the Houſe: Thereupon,

*Reſolved*, That the ſaid bill be, and it is hereby rejected.

Mr. Gates from the committe of the whole Houſe on the bill entitled "An act to amend the act entitled "An act for appointing a Comptroller in this ſtate," reported, that in proceeding in the ſaid bill, and after the ſame had been read, Mr. Prevoſt made a motion to reject the ſame; that debates were had, and the queſtion having been put thereon, it paſſed in the negative; that the yeas and nays were called for by Van Benthuyſen, ſeconded by Mr. Dewey, and were as follows, viz.

*For the Negative.*

| | | | |
|---|---|---|---|
| Mr. Adams | Mr. Comſtock | Mr. Johnſon | Mr. John Smith |
| Mr. Adriance | Mr. Dewey | Mr. Landon | Mr. Joſhua Smith |
| Mr. Baldwin | Mr. De Witt | Mr. Lefevre | Mr. Swart |
| Mr. Barker | Mr. Dodge | Mr. M'Intyre | Mr. Swartwout |
| Mr. Blake | Mr. Floyd | Mr. Moore | Mr. S. Ten Broeck |
| Mr. Boyd | Mr. German | Mr. E. Mott | Mr. Van Benthuyſen |
| Mr. Burling | Mr. B. Gilbert | Mr. Peck | Mr. Veeder |
| Mr. Burt | Mr. E. Gilbert | Mr. Schuneman | Mr. Waren |
| Mr. Carpenter | Mr. Hogeboom | Mr. A. Smith | Mr. Weſtcott |
| Mr. Clark | Mr. Hunt | Mr. H. Smith | Mr. Wolfe 41 |
| Mr. Coe | | | |

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Mr. Adgate | Mr. Gray | Mr. M'Neil | Mr. Skidmore |
| Mr. Arcularius | Mr. Hall | Mr. Micheau | Mr. John M. Smith |
| Mr. Butler | Mr. Heermance | Mr. Oſtrom | Mr. Philip Smith |
| Mr. Clift | Mr. Henry | Mr. Pearce | Mr. Speaker |
| Mr. Crocker | Mr. Hoag | Mr. Philips | Mr. Storm |
| Mr. Cummings | Mr. Hopkins | Mr. Prevoſt | Mr. P. Ten Broeck |
| Mr. Doty | Mr. Kane | Mr. Reynolds | Mr. Van Renſſelaer |
| Mr. French | Mr. J. Lanſingh | Mr. Savage | Mr. Voorhis 35 |
| Mr. Furman | Mr. Lott | Mr. Schuyler | |

Mr. Gates reported further progreſs and obtained leave to ſit again.

Then the Houſe adjourned until ten o'clock to-morrow morning.

FRIDAY, *ten o'clock, A. M. March 1st, 1799.*

The bill entitled "An act to divide the county of Clinton," was read the third time.

*Reſolved*, That the bill do paſs.

*Ordered*, That Mr. John M. Smith and Mr. Joſhua Smith deliver the bill to the Hon. the Senate, and inform them that this Houſe have paſſed the ſame without amendment.

The bill entitled "An act to amend the laws for the partition of lands," was read the ſecond time and committed to a committee of the whole Houſe.

A petition of Aldert Rooſa and others, praying that the town of Mammakating may be annexed to the county of Orange, was read and referred to the members attending this Houſe from the counties of Ulſter and Orange.

A petition of Charles Martin and others, inhabitants of the city of Schenectady, relative to erecting a bridge acroſs the Mohawk river, at or near the ſaid city, was read and referred to Mr. Doty, Mr. Baldwin and Mr. Pauling.

A petition of Samuel Hull, praying compenſation for military ſervices, was read and referred to Mr. Bruyn, Mr. Dodge and Mr. Burt.

Mr. Schermerhorn, purſuant to notice by him for that purpoſe heretofore given, moved for and obtained leave to bring in a bill entitled "An act to amend an act entitled "An act to eſtabliſh a turnpike corporation for improving the road from the ſprings in Lebanon to the city of Albany," which was read the firſt time and ordered a ſecond reading.

Mr. Peck in behalf of Mr. Swartwout, from the committee to whom was committed the bill entitled "An act to aſcertain weights and meaſures within this ſtate," reported, that the committee had gone through the bill, made amendments and added ſeveral clauſes, which he was directed to report to the Houſe, and he read the report in his place and delivered the bill and amendments in at the table, where they were again read: Thereupon,

*Ordered*, That the ſaid bill be recommitted to a committee of the whole Houſe.

Mr. Fort from the committee to whom was committed the bill entitled "An act for the diſpoſal of certain timber to Silvenus Wilcox and William Gordon," reported, that the committee had gone through the bill and agreed to the ſame without amendment, which he was directed to report to the Houſe, and he read the report in his place and delivered the bill in at the table, where it was again read and agreed to by the Houſe.

*Ordered*, That the bill be engroſſed.

Mr. Honeywell from the committee to whom was referred the petition of Benjamin Jones and others, reported, that they have examined the ſaid petition and the certificate accompanying the ſame, and are of opinion that the prayer thereof ought to be granted; that they have prepared a bill for that purpoſe, and have directed him to move for leave to bring in the ſame. Leave being given, Mr. Honeywell brought in the ſaid bill entitled "An act to annex a part of the town of Jericho, in the county of Chenango, to the town of Green in the ſaid county," which was read the firſt time and ordered a ſecond reading.

Mr. Oſtrom from the committee to whom was referred the petition of John G. Houſe and Iſaac Rapalja, reported, That the facts on the ſubject committed to the committee are as follows, viz. John G. Houſe and Iſaac Rapalja, the petitioners, made a ſettlement between the Cannoſeraga and Chittenango creeks ſome time prior to the year 1794, and that the petitioners had the voluntary conſent of the Oneida Indians and paid rent to the ſaid Indians for the ſame; that the petitioners have continued on their improvements to the preſent time; that an act paſſed in April 1795, making proviſion for all ſuch ſettlers, and that the petitioners have failed of the benefit of the aforeſaid act; that the lands are diſpoſed of to Richard Varick of the city of New-York; the committee are induced to report theſe particulars from affidavits accompanying the petition taken before a magiſtrate of the county of Oneida. They are therefore of opinion that the prayer of the petitioners ought to be granted, and they have prepared a bill for that purpoſe and directed their chairman to move for leave to bring in the ſame. Leave being given, Mr. Oſtrom brought in the ſaid bill entitled "An act for the relief of John G. Houſe and Iſaac Rapalja," which was read the firſt time and ordered a ſecond reading.

Mr. Lott from the committee to whom was referred the petition of William Sloan, reported, That the committee have taken the ſaid petition into conſideration, and are of opinion that the propoſals made by the petitioner are too uncertain to be depended on, and therefore that the prayer of the petitioner ought not to be granted, and that he ſhould have leave to withdraw his petition.

*Reſolved*, That this Houſe do concur with the committee in their ſaid report.

Mr. Oſtrom from the committee to whom was referred the petition of John Meyer and others, reported, That according to the beſt information they can obtain, the petitioners have been at very conſiderable expenſe in opening a road from or near Fort Stanwix to the garriſon of Oſwego on Lake Ontario, and that ſaid road is now the only land communication to the ſaid garriſon; from which it appears that not only the United States but this ſtate is greatly benefited by the exertions of individuals in opening and improving the aforeſaid road, it being alſo the moſt direct and perhaps the only land communication to the town of Oſwego, lately laid out and directed to be ſold by this ſtate, and the ſame can only be advantageous by keeping in repair the bridge which has been twice ineffectually built over Fiſh Creek by the petitioners: the committee are therefore of opinion that the petitioners are entitled to relief, and they have prepared a bill for that purpoſe and have directed their chairman to move for leave to bring in the ſame. Leave being given, Mr. Oſtrom brought in the ſaid bill entitled "An act for building a bridge over Fiſh Creek," which was read the firſt time and ordered a ſecond reading.

Mr. Hogeboom from the committee of the whole Houſe on the bill entitled "An act to incorporate the ſociety of the lying-in hoſpital of the city of New-York," reported, that the committee had gone through the bill and agreed to the ſame without amendment, which report he read in his place and delivered the bill in at the table, where the ſame was again read and agreed to by the Houſe.

By unanimous conſent the ſaid bill was read the third time.

*Reſolved*, That the bill do paſs.

*Ordered*, That Mr. John M. Smith and Mr. Joſhua Smith deliver the bill to the Hon. the Senate and inform them that this Houſe have paſſed the ſame without amendment.

*Ordered*, That the committee of the whole Houſe be diſcharged from the further conſideration of the bill entitled "An act authorizing John Knickerbacker, jun. and others to build a toll bridge at Scaghtikoke Point in the county of Renſſelaer," and that the ſame be committed to the members attending this Houſe from the counties of Renſſelaer and Waſhington.

A meſſage from the Hon. the Senate, delivered by Mr. L'Hommedieu and Mr. J. Morris, with the bill and amendments therein mentioned, was read, that the Senate have paſſed the bill entitled "An act for the relief of Nathan Wilſon and the legal repreſentative or repreſentatives of Robert Pennel, deceaſed," with the amendments therewith delivered.

*Ordered*, That the conſideration of the ſaid amendments be poſtponed.

Mr. Speaker then left the chair, and with the Houſe attended the Hon. the Senate in the Aſſembly chamber, purſuant to the reſolutions of both Houſes for holding a conference on the amendment of this Houſe to the bill entitled "An act to explain the law and rectify miſtakes reſpecting the payment and remiſſion of quit rent," which was not concurred in by the Hon. the Senate, and adhered to on the part of this Houſe; and the conference being ended, Mr. Speaker reſumed the chair and reported to the Houſe, that a conference had been held in the preſence of both Houſes on the ſaid amendment.

A meſſage from the Hon. the Senate, delivered by Mr. Myers and Mr. Phelps, with the bill and amendment therein mentioned, was read, that the Senate do adhere to their reſolution of non-concurrence in the amendment of this Houſe to the bill entitled "An act to explain the law and rectify miſtakes reſpecting the payment and remiſſion of quit rent."

*Ordered*, That the further conſideration of the ſaid bill and amendment be poſtponed until to-morrow.

Mr. Baldwin from the committee of the whole Houſe on the bill entitled "An act to divide the county of Onondaga," reported, that the committee had gone

ough the bill, made amendments, filled up the blanks and agreed to the ſame, ich he was directed to report to the Houſe, and he read the report in his place, d delivered the bill and amendments in at the table, where the ſame were again d and agreed to by the Houſe.

*Ordered*, That the bill be engroſſed.

Mr. Dodge from the committee to whom was committed the bill entitled "An t to veſt certain powers in the freeholders and inhabitants of the village of Poughepſie," reported, that the committee had gone through the bill and agreed to the me without amendment, which report he read in his place, and delivered the bill in the table, where it was again read and agreed to by the Houſe.

*Ordered*, That the bill be engroſſed.

Then the Houſe adjourned until ten o'clock to-morrow morning.

SATURDAY, *ten o'clock, A. M. March 2d*, 1799.

The engroſſed bill entitled "An act to divide the county of Onondaga," was read e third time.

*Reſolved*, That the bill do paſs.

The engroſſed bill entitled "An act for the diſpoſal of certain timber to Silvenus Wilcox and William Gordon," was read the third time.

*Reſolved*, That the bill do paſs.

*Ordered*, That Mr. Schermerhorn and Mr. Schuneman deliver the two laſt mentioned bills to the Hon. the Senate, and requeſt their concurrence to the ſaid bills reſpectively.

The bill entitled "An act for building a bridge acroſs fiſh creek," and the bill entitled "An act for the relief of John G. Houſe and Iſaac Rapalje," were reſpectively read the ſecond time and committed to a committee of the whole Houſe.

The bill entitled "An act to amend an act entitled "An act to eſtabliſh a turnpike corporation for improving the road from the ſprings in Lebanon to the city of Albany, was read the ſecond time and committed to Mr. E. Gilbert, Mr. Schermerhorn, Mr. Schuneman, Mr. C. M'Kinſtry and Mr. Hoag.

The bill entitled "An act to annex part of the town of Jericho, in the county of Chenango, to the town of Green in ſaid county, was read the ſecond time and committed to Mr. German, Mr. King and Mr. Gates.

A petition of Elias Quereau and others, of the county of Weſtchester, relative to a bridge acroſs Croton river, was read and referred to Mr. Robins, Mr. A. Smith and Mr. Johnſon.

*Ordered*, That the committee of the whole Houſe be diſcharged from the further conſideration of the bill entitled "An act for the relief of James Caldwell," and that the ſame be committed to Mr. Shurtleff, Mr. Boyd and Mr. P. Ten Broeck.

*Ordered*, That the committee of the whole Houſe be diſcharged from the further conſideration of the bill entitled "An act for the relief of John Lanſing, jun." and that the ſame be committed to Mr. J. Lanſingh, Mr. M'Neil and Mr. Storm.

Mr. M'Neil from the committee to whom was referred the petition of the chiefs of the Moheconnuch tribe of Indians, in behalf of their nation, reported, that the ſaid Indians have repeatedly petitioned the Legiſlature on the ſubject of a claim to lands within this ſtate; and that in the ſeſſion of 1797, in conſequence of reſolutions of both Houſes, the ſaid claim was referred to commiſſioners ſpecially appointed by the Governor, to hear and examine the ſame, and to report their opinion thereon to the Legiſlature; which commiſſioners accordingly examined the ſaid claim and found the ſame to be wholly unfounded and inadmiſſible, and thereupon reported, that in their opinion the ſame ought to be diſmiſſed; as by their report filed in the ſecreretary's office (a copy whereof accompanies this) will fully appear; and that the ſaid report having been laid before the Legiſlature, was concurred in. The committee are therefore of opinion that the claim ought to be diſmiſſed. The committee, notwithſtanding, would beg leave further to remark, that the ſaid Indians are, by their traditions, fully impreſſed with the juſtneſs of their claim upon this ſtate, although the ſame cannot, at this late day, be made evidently to appear; and (as the Indians expreſs themſelves) "*they ſhall never feel right in their hearts*" unleſs this ſtate make them ſome ſmall ſatisfaction for their ſuppoſed claim; and as they appear very deſirous, in caſe the Legiſlature ſhould be pleaſed to make them a ſmall dona-

tion, that the ſame might be appropriated for the erection of a houſe of public worſhip, which may enure to the laſting benefit of their nation; the committee are of opinion, in caſe the Houſe, through motives of benevolence, think fit and proper to make any donation for the purpoſe aforeſaid, that a committee ſhould be appointed to prepare and bring in a bill to carry the ſame into effect.

*Reſolved*, That the Houſe do agree with the committee in their ſaid report.

*Ordered*, That the ſame committee do prepare and bring in ſuch bill.

Mr. Wolfe from the committee to whom was referred the petition of the coal-wainers of the city and county of New-York, reported, That the grievance complained of really exiſts, and in the opinion of the committee relief ought to be granted, as the number of criminals is great, there may be upwards of two hundred employed at the ſame time at manufacturing ſhoes, which will work a ſerious injury to the citizens who depend on this buſineſs for the ſupport of themſelves and families; they have prepared a bill for that purpoſe and have directed their chairman to aſk for leave to bring in the ſame. Leave being given, Mr. Wolfe brought in the ſaid bill entitled "An act to regulate the employment of convicts in the ſtate priſon," which was read the firſt time and ordered a ſecond reading.

*Ordered*, That the conſideration of the amendments to the bill entitled "An act to explain the law and rectify miſtakes reſpecting the payment and remiſſion of quit rents," be further poſtponed until Tueſday next.

Mr. Heermance from the committee of the whole Houſe on the bill entitled "An act relative to the lands of the Cayuga Indians," reported, that the committee had gone through the bill and agreed to the ſame without amendment; which report he read in his place and delivered the bill in at the table, where it was again read and agreed to by the Houſe.

By unanimous conſent of the Houſe the ſaid bill was read the third time.

*Reſolved*, That the bill do paſs.

*Ordered*, That Mr. Schermerhorn and Mr. Schuneman deliver the bill to the Hon. the Senate, and inform them that this Houſe have paſſed the ſame without amendment.

Mr. J. Lanſingh from the committee to whom was committed the bill entitled "An act for the relief of John Lanſing, jun." reported, that the committee had gone through the bill, filled up the blank and agreed to the ſame without amendment; which report he read in his place and delivered the bill in at the table, where it was again read and agreed to by the Houſe.

*Ordered*, That the bill be engroſſed.

Mr. M'Neil from the committee of the whole Houſe on the bill entitled "An act to aſcertain the ſize of apple barrels," reported, that the committee had gone through the bill, filled up the blanks, and agreed to the ſame without amendment, which he was directed to report to the Houſe, and he read the report in his place, and delivered the bill in at the table, where it was again read and agreed to by the Houſe.

*Ordered*, That the bill be engroſſed.

Mr. Burling from the committee to whom was referred the petition of the Sachems and Chiefs of the Oneida and Tuſcarora nations of Indians, reported, That in the opinion of the committee the prayer of the petitioners ought to be granted, and that leave ſhould be given to bring in a clauſe for that purpoſe to be added to the bill entitled "An act to amend the act entitled "An act to lay a duty on ſtrong liquors and for the regulating inns and taverns."

*Ordered*, That leave be given accordingly.

A meſſage from the Hon. the Council of Reviſion, delivered by the Hon. Mr. Juſtice Kent, was read, that it does not appear improper to the Council that the bill entitled "An act to improve the navigation of Hudſon's river between the village of Lanſingburgh and Troy," and the bill entitled "An act to amend the act entitled "An act to incorporate the Cayuga Bridge Company," ſhould reſpectively become laws of this ſtate.

The Houſe proceeded to the conſideration of the amendments of the Hon. the Senate to the bill entitled "An act for the relief of Nathan Wilſon and the legal repreſentative or repreſentatives of Robert Pennel, deceaſed," the bill and amend-

nts were read; one of the amendments is to alter the title, the altered title is "An act for the relief of Nathan Wilson and John Warford," and the amendments having been read the second time were concurred in by the House and the bill ordered to be amended accordingly.

*Ordered*, That Mr. Storm and Mr. Swart deliver the bill to the Hon. the Senate, and inform them that this House have concurred in their amendments to the said bill and have amended the same accordingly.

Mr. French from the committee of the whole House on the bill entitled "An act granting relief to actual settlers on the Oneida reservation," reported progress.

Thereupon, *Ordered*, That the committee of the whole House be discharged from the further consideration of the said bill, and that the same be committed to Mr. King, Mr. Savage and Mr. Baldwin.

Mr. Savage moved a resolution, which, with its recital, was read and agreed to by the House, and is in the words following, viz.

Whereas several of the Indians residing at New Stockbridge have been deputed by their nation on business with the Legislature; and having signified their intention of returning home: Therefore,

*Resolved*, (if the Hon. the Senate concur,) That his Excellency the Governor be authorized to take order on the Treasury for a sum not exceeding twenty-five dollars to defray the expences of the said Indians in returning to their respective homes.

*Ordered*, That Mr. Joshua Smith and Mr. P. Smith deliver a copy of the preceding resolution to the Hon. the Senate.

Mr. Comstock from the committee to whom was referred the petition of Wm. De Groot and others, the children of Gerrit De Groot, late of the county of Richmond, deceased, reported, that the petitioners state that the said Gerrit died in September last, intestate, and that the wife of the said Gerrit is also deceased; that the administrators of the personal estate of the said deceased have disposed of the greatest part of the moveable property at public auction, and intend to vend the residue in the spring; that the neat proceeds of the same will be barely sufficient for the payment of the debts; that the real estate of the said deceased, at the time of his death, consisted of a plantation in said county, containing about one hundred and forty acres of upland, and a salt meadow containing twelve acres; that the deceased left five children, three of whom are of age, one six and the other twelve years of age; and that the mansion house has stood a century, and is out of repair; that the other buildings and fences are going rapidly to decay, and no timber on the premises to repair them.

The petitioners further state, that if the real estate of the deceased should be sold for its real value in money, the interest thereof would, in their opinion, amount to more than the rents and profits of said real estate, and thereby promote the family interest. The petitioners therefore pray, that a law may be passed impowering them to sell the said real estate at public auction for the benefit of the several heirs. The committee having stated the material facts set forth in the petition, think it unnecessary to proceed further in the business until the House shall have decided on the principle, for which purpose the committee submit the following resolution for the consideration of the House.

*Resolved*, That a committee be appointed to prepare and bring in a clause to be added to some proper bill, authorizing the sale of the real estate of the late Gerrit De Groot, deceased, for the benefit of his heirs.

*Ordered*, That the consideration of the said report be postponed until Monday next.

Mr. Prevost from the committee of the whole House on the bill entitled "An act for the relief of the representatives of Joseph Crane, deceased," reported, that the committee had gone through the bill, filled up the blank, and agreed to the same without amendment, which he was directed to report to the House, and he read the report in his place, and delivered the bill in at the table, where it was again read and agreed to by the House.

*Ordered*, That the bill be engrossed.

Mr. Dewey from the committee to whom was referred the bill entitled "An act relative to the bridge across the Norman's Kill, near the city of Albany," reported progress and obtained leave to sit again.

Mr. French from the committee to whom was committed the bill entitled "An act to divide the town of Mexico, in the county of Oneida," reported, that the committee had gone through the bill and agreed to the ſame without amendment, which he was directed to report to the Houſe, and he read the report in his place, and delivered the bill in at the table, where it was again read and agreed to by the Houſe.

*Ordered*, That the bill be engroſſed.

Mr. King, in behalf of Mr. German, from the committee to whom was committed the bill entitled "An act to annex part of the town of Jericho, in the county of Chenango, to the town of Green in ſaid county," reported, that the committee had gone through the ſaid bill, and agreed to the ſame without amendment, which he was directed to report to the Houſe, and he read the report in his place, and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

*Ordered*, That the bill be engroſſed.

Mr. Furman from the committee of the whole Houſe on the bill entitled "An act to aſcertain the boundaries of the lands reſerved to the St. Regis Indians," reported, that the committee had gone through the bill and agreed to the ſame without amendment, which he was directed to report to the Houſe, and he read the report in his place and delivered the bill in at the table, where the ſame was again read and agreed to by the Houſe.

*Ordered*, That the bill be engroſſed.

*Reſolved*, That this Houſe will on Wedneſday next reſolve itſelf into a committee of the whole Houſe on the bill entitled "An act further to amend the act entitled "An act to regulate highways."

A copy of a reſolution of the Hon. the Senate, delivered by Mr. Ruſſell and Mr. Sanders, was read, that the Senate do concur with this Houſe in their reſolution of this day's date, relative to certain Stockbridge Indians.

A meſſage from the Hon. the Council of Reviſion, tranſmitted to this Houſe by the Hon. the Senate, was read, that it does not appear improper to the Council that the bill entitled "An act to divide the county of Clinton," the bill entitled "An act to incorporate the ſociety of the lying-in hoſpital of the city of New-York," and the bill entitled "An act to amend the act entitled "An act to incorporate that part of the town of Schenectady therein mentioned," ſhould ſeverally become laws of this ſtate.

A motion was made that the Houſe ſhould adjourn. Mr. Speaker put the queſtion on the ſaid motion, and it was carried in the affirmative. The yeas and nays being called for by Mr. Swartwout, ſeconded by Mr. Furman, were as follows, viz.

*For the Affirmative.*

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|---|---|---|---|
| Mr. Baldwin | Mr. Cummings | Mr. Hall | Mr. Oſtrom |
| Mr. Bill | Mr. Dewey | Mr. Henry | Mr. Pearce |
| Mr. Blake | Mr. De Witt | Mr. Honeywell | Mr. Reynolds |
| Mr. Bruyn | Mr. Doty | Mr. Johnſon | Mr. John M. Smith |
| Mr. Burling | Mr. Fort | Mr. King | Mr. Swart |
| Mr. Campbell | Mr. French | Mr. J. Lanſingh | Mr. Van Benthuyſen |
| Mr. Clark | Mr. Furman | Mr. Lott | Mr. Van Renſelaer |
| Mr. Clift | Mr. B. Gilbert | Mr. Moore | Mr. Weſtcott |
| Mr. Comſtock | | | |

*For the Negative.*

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| Mr. Adams | Mr. Floyd | Mr. Peck | Mr. H. Smith |
| Mr. Adgate | Mr. Gates | Mr. Philips | Mr. John Smith |
| Mr. Adriance | Mr. German | Mr. Robins | Mr. Joſhua Smith |
| Mr. Arcularius | Mr. E. Gilbert | Mr. Savage | Mr. Swartwout |
| Mr. Burt | Mr. Heermance | Mr. Schuyler | Mr. Teed |
| Mr. Coe | Mr. Landon | Mr. Skidmore | Mr. Waren |
| Mr. Crocker | Mr. M'Neil | Mr. A. Smith | Mr. Wolfe |

Then the Houſe adjourned until ten o'clock on Monday morning next.

MONDAY, *ten o'clock, A. M. March 4th*, 1799.

The engroſſed bill entitled "An act to veſt certain powers in the freeholders and inhabitants of the village of Poughkeepſie," was read the third time.

*Reſolved*, That the bill do paſs.

The engroſſed bill entitled "An act for the relief of the repreſentatives of Joſeph Crane, deceaſed," was read the third time.

*Reſolved*, That the bill do paſs.

The engroſſed bill entitled "An act for the relief of John Lanſing, jun." was read the third time.

*Reſolved*, That that the bill do paſs.

The engroſſed bill entitled "An act to divide the town of Mexico in the county of Oneida," was read the the third time.

*Reſolved*, That the bill do paſs.

The engroſſed bill entitled "An act to annex part of the town of Jericho in the county of Chenango to the town of Green in ſaid county," was read the third time.

*Reſolved*, That the bill do paſs.

The engroſſed bill entitled "An act to aſcertain the boundaries of the lands reſerved to the St. Regis Indians," was read the third time.

*Reſolved*, That the bill do paſs.

The engroſſed bill entitled "An act to aſcertain the ſize of apple barrels within this ſtate," was read the third time.

*Reſolved*, That the bill do paſs.

*Ordered*, That Mr. Storm and Mr. Swart deliver the ſeven laſt mentioned bills to the Hon. the Senate and requeſt their concurrence to the ſaid bills reſpectively.

The bill entitled "An act to regulate the employment of convicts in the ſtate-priſon," was read the ſecond time and committed to a committee of the whole Houſe.

A petition of Cornelius Ryerſen, praying compenſation for certain lands ceded by this ſtate to the ſtate of Vermont, was read and referred to Mr. Van Renſſelaer, Mr. Philips and Mr. Micheau.

A remonſtrance of Joſeph Kline, relative to the bridge at Scaghtikoke Point, was read and referred to the ſelect committee to whom was committed the bill entitled "An act authorizing John Knickerbacker, jun. and others to build a toll bridge at Scaghtikoke Point in the county of Renſſelaer."

Mr. Boyd from the ſelect committee to whom was committed the bill entitled "An act for the relief of James Caldwell," reported, that the committee had gone through the bill, filled up the blanks and agreed to the ſame without amendment, which he was directed to report to the Houſe, and he read the report in his place and delivered the bill in at the table, where the ſame was again read and agreed to by the Houſe.

*Ordered*, That the bill be engroſſed.

Mr. Cummings from the committee to whom was referred the petition of the ſupervisors of the county of Herkimer, reported, that the facts ſtated in the petition are true, and that in the opinion of the committee leave ſhould be given to bring in a bill granting relief. Leave being given, Mr. Cummings brought in the ſaid bill entitled "An act to authorize the raiſing a further ſum of money for repairing the court-houſe in the county of Herkimer," which was read the firſt time and ordered a ſecond reading.

Mr. John M. Smith, purſuant to notice by him for that purpoſe heretofore given, moved for and obtained leave to bring in a bill entitled "An act more effectually to prevent the commiſſion of the offence of petit larceny," and on the queſtion whether the ſaid bill ſhould have its firſt reading, it paſſed in the negative. The yeas and nays being called for by Mr. John M. Smith, ſeconded by Mr. Johnſon, were as follows, viz.

*For the Negative.*

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| Mr. Adgate | Mr. Clark | Mr. J. Lanſingh | Mr. H. Smith |
| Mr. Adriance | Mr. Coe | Mr. M'Intyre | Mr. John Smith |
| Mr. Arcularius | Mr. Cummings | Mr. J. M'Kinſtry | Mr. Swartwout |
| Mr. Blake | Mr. German | Mr. M'Neil | Mr. Tabor |
| Mr. Boyd | Mr. B. Gilbert | Mr. Moore | Mr. Teed |
| Mr. Burling | Mr. Gray | Mr. Philips | Mr. P. Ten Broeck |
| Mr. Burr | Mr. Hall | Mr. Reynolds | Mr. S. Ten Broeck |
| Mr. Burt | Mr. Hogeboom | Mr. Robins | Mr. Van Benthuyſen |
| Mr. Butler | Mr. Honeywell | Mr. Savage | Mr. Wolfe |
| Mr. Carpenter | Mr. Hunt | Mr. A. Smith | |

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Mr. Baldwin | Mr. Furman | Mr. Lott | Mr. Joſhua Smith |
| Mr. Bill | Mr. Gates | Mr. Micheau | Mr. Philip Smith |
| Mr. Bruyn | Mr. E. Gilbert | Mr. Oſtrom | Mr. Storm |
| Mr. Comſtock | Mr. Henry | Mr. Pauling | Mr. Swart |
| Mr. Crocker | Mr. Hoag | Mr. Pearce | Mr. Van Renſſelaer |
| Mr. De Witt | Mr. Johnſon | Mr. Schuneman | Mr. Waren |
| Mr. Doty | Mr. Landon | Mr. Skidmore | Mr. Weſtcott 29 |
| Mr. Floyd | | | |

Mr. Joſhua Smith from the committee to whom was referred the petition of certain inhabitants of Smithtown, in the county of Suffolk, reported a reſolution which was read and agreed to by the Houſe, and is in the words following, viz.

Whereas Samuel Philips, Thomas Wilcox and others, freeholders of the town of Smithtown, in Suffolk county, have, by their petition, repreſented to the Legiſlature, that on the 12th day of June, 1717, there was laid out by the commiſſioners of ſaid town, a public road on the weſt ſide of Smithtown river, extending from the landing place at Jones's Point, to the Hog pond, and then ſoutherly to the Plains; that ſo much of the ſaid road as lies contiguous to the land of Jeffery Smith, is, by certain contingencies, rendered uſeleſs as a road or landing place; that the inhabitants of Smithtown, in town meeting convened, have agreed that the above mentioned part of ſaid road ſhould be ſold, and the money ariſing from the ſale thereof applied to the purchaſe of a road of more general utility and advantage; and the ſaid petitioners having prayed that power may be given to commiſſioners to convey the ſaid road for the purpoſe aforeſaid,

*Reſolved*, if the Hon. the Senate concur herein, That the ſaid petitioners have leave to preſent a bill to either Houſe of the Legiſlature at the next ſeſſion, authorizing the ſale of ſo much of the ſaid road as has become uſeleſs to the public; provided the ſaid petitioners cauſe a copy of this reſolution to be publiſhed for ſix weeks ſucceſſively in one of the public newſpapers printed in the city of New-York, and alſo put up copies thereof in three of the moſt public places in Smithtown aforeſaid previous to the next meeting of the Legiſlature, to the end that all perſons intereſted in the premiſes may ſhew cauſe, if any they have, againſt the paſſing of ſuch bill.

*Ordered*, That Mr. Swart and Mr. Swartwout deliver a copy of the preceding reſolution to the Hon. the Senate.

*Ordered*, That the conſideration of the report of the committee on the petition of the children and heirs of Gerrit De Groot, deceaſed, be further poſtpoſted until to-morrow.

A meſſage from the Hon. the Senate, delivered by Mr. Phelps and Mr. Ruſſell, with the bill therein mentioned, was read, that the Senate have paſſed the bill entitled "An act relative to the clerk's office and loan officers of the former county of Herkimer," to which they requeſt the concurrence of this Houſe. The ſaid bill was read the firſt time and ordered a ſecond reading.

A meſſage from the Hon. the Senate, alſo delivered by Mr. Phelps and Mr. Ruſſell, with the bill therein mentioned, was read, that the Senate have paſſed the bill entitled "An act relative to the clerks office in the ſeveral counties of this ſtate, and the examiners and clerks in the court of chancery," with the amendments therewith delivered.

*Ordered*, That the conſideration of the ſaid amendments be poſtponed until to-morrow.

Mr. Storm from the committee of the whole Houſe on the bill entitled "An act to ſub-divide the four great diſtricts of this ſtate into further diſtricts for the election of Senators," reported, that after the ſaid bill had been read through in the committee, Mr. Reynolds made a motion that the committee ſhould riſe, report progreſs and aſk leave to ſit again; that the queſtion having been put on the ſaid motion, it paſſed in the negative; that the yeas and nays were called for by Mr. Doty, ſeconded by Mr. John M. Smith, and were as follows, viz.

*For the Negative.*

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| Mr. Adams | Mr. Clift | Mr. Landon | Mr. John Smith | |
| Mr. Adriance | Mr. Coe | Mr. M'Intyre | Mr. Joſhua Smith | |
| Mr. Arcularius | Mr. Comſtock | Mr. Moore | Mr. Speaker | |
| Mr. Baldwin | Mr. Corl | Mr. Philips | Mr. Swart | |
| Mr. Blake | Mr. Floyd | Mr. Robins | Mr. Swartwout | |
| Mr. Boyd | Mr. German | Mr. Root | Mr. Tabor | |
| Mr. Bruyn | Mr. E. Gilbert | Mr. Savage | Mr. S Ten Broeck | |
| Mr. Burling | Mr. Hogeboom | Mr. Schuneman | Mr. Van Benthuyſen | |
| Mr. Burr | Mr. Honeywell | Mr. Skidmore | Mr. Waren | |
| Mr. Carpenter | Mr. Hunt | Mr. A. Smith | Mr. Weſtcott | |
| Mr. Clark | Mr. Johnſon | Mr. H. Smith | Mr. Wolfe | 44 |

*For the Affirmative.*

| | | | | |
|---|---|---|---|---|
| Mr. Bill | Mr. Freneh | Mr. King | Mr. Pearce | |
| Mr. Butler | Mr. Furman | Mr. J. Lanſingh | Mr. Reynolds | |
| Mr. Campbell | Mr. Gates | Mr. Lott | Mr. John M. Smith | |
| Mr. Cummings | Mr. B. Gilbert | Mr. J. M'Kinſtry | Mr. Philip Smith | |
| Mr. Dewey | Mr. Gray | Mr. M'Neil | Mr. Teed | |
| Mr. De Witt | Mr. Hall | Mr. Micheau | Mr. P. Ten Broeck | |
| Mr. Doty | Mr. Henry | Mr. Oſtrom | Mr. Van Renſſelaer | 31 |
| Mr. Fort | Mr. Hoag | Mr. Pauling | | |

That after the firſt enacting clauſe of the bill had been read, and debates had thereon, Mr. Speaker made a motion that the committee ſhould agree to reject the bill, and that the queſtion having been put thereon, it paſſed in the negative. That the yeas and nays were called for by Mr. Speaker, ſeconded by Mr. Van Renſſelaer, and were as follows, viz.

*For the Negative.*

| | | | | |
|---|---|---|---|---|
| Mr. Adams | Mr. Coe | Mr. Johnſon | Mr. Skidmore | |
| Mr. Adgate | Mr. Comſtock | Mr. Landon | Mr. A. Smith | |
| Mr. Adriance | Mr. Corl | Mr. M'Intyre | Mr. H. Smith | |
| Mr. Arcularius | Mr. Crocker | Mr. C. M'Kinſtry | Mr. John Smith | |
| Mr. Baldwin | Mr. Dewey | Mr. M'Neil | Mr. Joſhua Smith | |
| Mr. Blake | Mr. Fairlie | Mr. Moore | Mr. Swart | |
| Mr. Boyd | Mr. Floyd | Mr. W. Mott | Mr. Swartwout | |
| Mr. Bruyn | Mr. Gates | Mr. Peck | Mr. Tabor | |
| Mr. Burling | Mr. German | Mr. Philips | Mr. S. Ten Broeck | |
| Mr. Burr | Mr. E. Gilbert | Mr. Robins | Mr. Van Benthuyſen | |
| Mr. Burt | Mr. Henry | Mr. Root | Mr. Waren | |
| Mr. Carpenter | Mr. Hogeboom | Mr. Savage | Mr. Weſtcott | |
| Mr. Clark | Mr. Honeywell | Mr. Schuneman | Mr. Wolfe | 54 |
| Mr. Clift | Mr. Hunt | | | |

*For the Affirmative.*

| | | | | |
|---|---|---|---|---|
| Mr. Bill | Mr. French | Mr. Lott | Mr. John M. Smith | |
| Mr. Butler | Mr. B. Gilbert | Mr. J. M'Kinſtry | Mr. Philip Smith | |
| Mr. Campbell | Mr. Gray | Mr. Micheau | Mr. Speaker | |
| Mr. Cummings | Mr. Hall | Mr. Oſtrom | Mr. Teed | |
| Mr. De Witt | Mr. Hoag | Mr. Pauling | Mr. P. Ten Broeck | |
| Mr. Doty | Mr. King | Mr. Pearce | Mr. Van Renſſelaer | 27 |
| Mr. Fort | Mr. J. Lanſingh | Mr. Reynolds | | |

Mr. Storm further reported, that the committee had gone through the bill, made amendments and agreed to the ſame, which he was directed to report to the Houſe, and he read the report in his place and delivered the bill and amendments in at the table, where the ſame were again read and agreed to by the Houſe.

*Ordered*, That the bill be engroſſed.

Mr. M'Neil from the committee of the whole Houſe on the bill entitled "An act to amend an act for regulating elections," reported progreſs and obtained leave to ſit again.

Mr. Weſtcott from the committee of the whole Houſe on the bill entitled "An act to amend an act entitled "An act to aſcertain weights and meaſures within this ſtate," reported, that the committee had gone through the bill, made amendments and added ſeveral clauſes, which he was directed to report to the Houſe, and he read the report in his place and delivered the bill, amendments and clauſes in at the table, where they were again read and agreed to by the Houſe.

*Ordered*, That the amendments be engroſſed.

Mr. King from the ſelect committee to whom was committed the bill entitled "An act granting relief to actual ſettlers on the Oneida reſervation," reported, that the committee had gone through the bill, made amendments and added clauſes, which he was directed to report to the Houſe, and he read the report in his place and delivered the bill, amendments and clauſes in at the table, where they were again read and recommitted to a committee of the whole Houſe.

*Reſolved*, That this Houſe will to-morrow reſolve itſelf into a committee of the whole Houſe on the bill entitled "An act for the aſſeſſment and collection of taxes."

Then the Houſe adjourned until ten o'clock to-morrow morning.

TUESDAY, *ten o'clock, A. M. March 5th*, 1799.

The engroſſed bill entitled "An act to amend the act entitled "An act to organize the militia of this ſtate," was read the third time.

*Reſolved*, That the bill do paſs.

The engroſſed bill entitled "An act for the relief of James Caldwell" was read the third time.

*Reſolved*, That the bill do paſs.

The engroſſed bill entitled "An act to ſub-divide the four great diſtricts of this ſtate into further diſtricts for the election of Senators," was read the third time.

Mr. Speaker put the queſtion, whether the ſaid bill ſhould paſs, and it was carried in the affirmative. The yeas and nays were called for by Mr. French, ſeconded by Mr. Hoag, and were as follows, viz.

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Mr. Adams | Mr. Cort | Mr. M'Intyre | Mr. H. Smith |
| Mr. Adgate | Mr. Crocker | Mr. C. M'Kinſtry | Mr. John Smith |
| Mr. Adriance | Mr. Dewey | Mr. Moore | Mr. Joshua Smith |
| Mr. Arcularius | Mr. Dodge | Mr. E. Mott | Mr. Storm |
| Mr. Blake | Mr. Floyd | Mr. W. Mott | Mr. Swart |
| Mr. Boyd | Mr. Gates | Mr. Peck | Mr. Swartwout |
| Mr. Bruyn | Mr. German | Mr. Philips | Mr. Tabor |
| Mr. Burling | Mr. E. Gilbert | Mr. Robins | Mr. S. Ten Broeck |
| Mr. Burr | Mr. Henry | Mr. Root | Mr. Thomas |
| Mr. Burt | Mr. Honeywell | Mr. Savage | Mr. Van Benthuyſen |
| Mr. Clark | Mr. Hopkins | Mr. Schuneman | Mr. Waren |
| Mr. Clift | Mr. Hunt | Mr. Skidmore | Mr. Weſtcott |
| Mr. Coe | Mr. Johnſon | Mr. A. Smith | Mr. Wolfe |
| Mr. Comſtock | Mr. Landon | | |

*For the Negative.*

| | | | |
|---|---|---|---|
| Mr. Abeel | Mr. B. Gilbert | Mr. M'Neil | Mr. Schuyler |
| Mr. Bill | Mr. Gray | Mr. Micheau | Mr. Shurtleff |
| Mr. Butler | Mr. Hall | Mr. Oſtrom | Mr. John M. Smith |
| Mr. Cummings | Mr. Heermance | Mr. Paine | Mr. Philip Smith |
| Mr. Deitz | Mr. Hoag | Mr. Pauling | Mr. Teed |
| Mr. De Witt | Mr. Kane | Mr. Pearce | Mr. P. Ten Broeck |
| Mr. Fort | Mr. King | Mr. Reynolds | Mr. Van Renſelaer |
| Mr. French | Mr. Lott | Mr. Schermerhorn | Mr. Voorhis |
| Mr. Furman | Mr. J. M'Kinſtry | | |

Thereupon, *Reſolved*, That the bill do paſs.

*Ordered*, That Mr. Swart and Mr. Swartwout deliver the three laſt mentioned bills to the Hon. the Senate and requeſt their concurrence to the ſaid bills reſpectively.

The bill entitled "An act relative to the clerk's office and the loan officers of the former county of Herkimer," was read the ſecond time and committed to a committee of the whole Houſe.

The bill entitled "An act to authorize the raiſing a further ſum of money to repair the court-houſe in the county of Herkimer," was read the ſecond time and committed to a committee conſiſting of the members attending this Houſe from the county of Herkimer.

A petition of John Hood and others, inhabitants of the county of Onondaga, praying relief as to the intereſt on mortgages executed by them to the people of this ſtate, to ſecure the payment of the purchaſe money for lots in the Oneida, Onondaga and Cayuga reſervations, was read and committed to the committee of the whole Houſe when on the bill entitled "An act for the relief of actual ſettlers on the Oneida reſervation."

A petition of Joſeph Wood, jun. and others, inhabitants of the towns of Mamakating and Deer-Park, in the counties of Ulſter and Orange, praying that the ſaid

wns of Mamakating and Deer-Park may be again annexed together by the name f Mamakating, and be made a part of the county of Orange, was read and referred the members attending this Houſe from the counties of Ulſter and Orange.

A petition of John Barry and William Barry, aliens, praying to be enabled by w to purchaſe and hold real eſtates within this ſtate, was read and referred to Mr. an Renſſelaer, Mr. Wolfe and Mr. John M. Smith.

The Comptroller to whom was referred the petition of John J. Klock, reported, at the petitioner ſtates that he did, on the 5th day of April, 1790, pay to the reaſurer of this ſtate 24l. 11s. 10d. of quit rent for 690 acres of land in lot. No. 1, in a patent granted to Francis Harriſon and others, for himſelf and two brothers, lendrick Klock and Jacob J. Klock; that he was ignorant at the time of making he ſaid payment that a certificate of Jellis Fonda, Eſq. then firſt judge of the ſaid ounty, had been filed with the Treaſurer, purſuant to law, by which he and his rothers were entitled to a remiſſion of the quit rent for 450 acres of the ſaid land; nd that the Auditor, at the time of receiving the ſaid payment, was alſo unacquaint- d with that circumſtance, as appears by his certificate; the petitioner therefore rays relief.

Upon examination of the books and accounts in this office, the certificate of the te Auditor, as well as the ſtatements made by the petitioner, appear to be incorrect. he certificate given by Jellis Fonda, as mentioned in the petition, was delivered o the Auditor and entered by him the 24th of March, 1790, and the quit rent and ommutation on 690 acres, in lot No. 11, was paid to him on the 5th day of April llowing, by Peter Schuyler for Johannis I. Klock, and not by the petitioner, nor o the Treaſurer. The payment on 690 acres, in lot No. 11, was made to the Au- itor within twelve days after he had entered the remiſſion on 450 acres in the ſame ot. It is poſſible that the petitioner and his brothers might have been entitled to both uantities, or Johannis I. Klock might have been a different perſon. But if the ayment was made for them, and they owned only 690 acres, the ſum paid on the 50 acres, which was forty dollars and nine cents, muſt have been owing to ſome iſtake, and ought to be repaid.

All which is reſpectfully ſubmitted.

SAMUEL JONES, Comptroller.

*Albany, 4th March, 1779.*

*Ordered*, That the ſaid report and petition be referred to Mr. Voorhis, Mr. Fair- ie and Mr. Weſtcott.

Mr. Bill from the committee to whom was referred the petition of John P. De ancey and others, reported, that it appears that the bridge and road prayed for ill highly promote the eaſe of travellers, and contribute much to the convenience f the inhabitants adjoining thereto; that the ſaid road will ſhorten the diſtance rom New-York to Pelham and the ſeveral towns adjoining, ſome miles; that as no njury can reſult therefrom to the proprietors of the land on the payment of the amages to accrue from ſuch road, they are of opinion that the prayer of the ſaid etition ought to be granted, and have requeſted their chairman to aſk for leave to ring in a bill to that effect.

Mr. Speaker put the queſtion, whether the committee ſhould have leave to bring n the ſaid bill, and it was carried in the affirmative. The yeas and nays being alled for by Mr. A. Smith, ſeconded by Mr. Teed, were as follows, viz.

*For the Affirmative.*

| | | | |
|---|---|---|---|
| r. Abeel | Mr. Cummings | Mr. Hogeboom | Mr. Schuyler |
| r. Adgate | Mr. Deitz | Mr. Hopkins | Mr. Shurtleff |
| r. Adriance | Mr. Dewey | Mr. Hunt | Mr. John M. Smith |
| r. Baldwin | Mr. De Witt | Mr. Johnſon | Mr. Philip Smith |
| r. Bill | Mr. Dodge | Mr. Kane | Mr. Storm |
| r. Blake | Mr. Doty | Mr. C. Lanſingh | Mr. Swart |
| r. Boyd | Mr. Fairlie | Mr. Lott | Mr. Swartwout |
| r. Bruyn | Mr. Floyd | Mr. J. M'Kinſtry | Mr. Tabor |
| r. Burling | Mr. Fort | Mr. M'Neil | Mr. S. Ten Broeck |
| r. Burr | Mr. French | Mr. Micheau | Mr. Thomas |
| r. Burt | Mr. Furman | Mr. E. Mott | Mr. Van Benthuyſen |
| r. Butler | Mr. Gates | Mr. Paine | Mr. Van Renſſelaer |
| r. Clark | Mr. German | Mr. Peck | Mr. Veeder |
| r. Clift | Mr. B. Gilbert | Mr. Philips | Mr. Voorhis |
| r. Coe | Mr. E. Gilbert | Mr. Prevoſt | Mr. Waren |
| r. Comſtock | Mr. Hall | Mr. Root | Mr. Weſtcott |
| r. Corl | Mr. Heermance | Mr. Savage | Mr. Wolfe 71 |
| r. Crocker | Mr. Henry | Mr. Schuneman | |

*For the Negative.*

| | | | |
|---|---|---|---|
| Mr. Adams | Mr. Landon | Mr. Pauling | Mr. H. Smith |
| Mr. Arcularius | Mr. C. M'Kinstry | Mr. Pearce | Mr. John Smith |
| Mr. Gray | Mr. Moore | Mr. Skidmore | Mr. Joshua Smith |
| Mr. Hoag | Mr. W. Mott | Mr. A. Smith | Mr. Teed |
| Mr. Honeywell | Mr. Ostrom | | |

Mr. Bill, according to leave, brought in the said bill entitled "An act to authorize the building a bridge across Eastchester creek, and for laying out a new road through the town of Pelham and through parts of the towns of Rochelle and Eastchester," which was read the first time and ordered a second reading.

The Comptroller to whom was referred the petition of Hezekiah Brown, reported, That the petitioner states "That his father, Triftram Brown, about the year 1754 purchased a tract or parcel of land in the town of Amenia in the county of Dutchess, in the great nine partner patent, being part of lot No. 7 as he believes, in fee simple, and occupied the same until his decease, and by his last will and testament devised the same to the petitioner's brother, Triftram Brown, jun. who after the decease of his father and before the commencement of hostilities between Great Britain and the United States, mortgaged the same to George Folliott for the sum of 500 dollars, and afterwards in the year 1765 died in possession thereof, and the petitioner then being heir at law with others of the same land, purchased the shares of the other heirs. That after the American revolution the petitioner paid to Gerard Bancker, as Treasurer of the state of New-York, in the year 1779, all monies due the said George Folliott on the said mortgage both principal and interest, amounting to 700 dollars; notwithstanding the premises and the payment aforesaid the said farm among others which the said George Folliott owned in the said patent was confiscated and sold by the commissioners of forfeitures at public auction, and was purchased by David Waterman; and although the petioner is advised and verily believes that he might have his remedy at law for the premises, yet being unwilling to injure the present possessor who has honestly obtained the possession thereof; he therefore prays such relief in the premises as the Legislature shall see fit to grant."

The only documents accompanying the petition are, 1. A certificate from the Treasurer that Hezekiah Brown on the 17th June, 1779, paid into the treasury in continental money 2801. 16s. in discharge of a debt due to George Folliott, whose estate was forfeited. 2. Another certificate from the Treasurer that Dodge, Graham and Hathorn, late commissioners of forfeitures for the middle district, in consideration of 18,600l. in continental money, 27th April, 1781, conveyed to David Waterman 295 acres of land subject to dower, being the late property of George Folliott, whose estate was forfeited. 3. An affidavit of the petitioner setting forth that the sum of 700 dollars mentioned in his petition was paid solely for the purpose of paying the consideration of the said mortgage, and that he owed Folliott on no other contract or account, and that he the petitioner became entitled to the said premises in fee simple in the manner and form expressed in his petition, and that he had as he was by counsel advised and verily believes sufficient deeds of conveyance in law to create a title in him to the same farm, but that he some years since left them and all other documents relating to the business in the hands of Silas Marsh, Esq. attorney at law in Dutchess county, for the purpose of prosecuting an action for the recovery of the said farm, and that soon after his said attorney died, and he hath never since been able to obtain any of the said deeds or other documents.

It is proper to remark that there must be some mistake in the first of the above certificates as Folliott's estate was not forfeited until the 22d October, 1779.

There is no proof that the farm sold to Waterman is the land which the petitioner says was mortgaged by his brother, Triftram Brown to Folliott; but supposing it to be the same, no judgment can be formed as to the petitioner's claim, as he has not produced any evidence respecting his title; and therefore he does not appear to be entitled to any relief from the Legislature, but ought to be left to prosecute his claim if he has any in the ordinary course of law. It is remarkable that he gives no account of the possession of the farm from the year 1765 when his brother died, until 1781, when it was sold by the commissioners of forfeitures, and from their sell-

g it as the forfeited property of Folliott it ſeems to be probable that Folliott was poſſeſſion of it and had either foreclоſed the mortgage or in ſome other way be-ome entitled to the premiſes in fee ſimple.

The account the petitioner gives of his title cannot be correct. It is to be in-erred from his ſtatement that his brother died without iſſue and inteſtate, and if ſo, is real eſtate muſt have deſcended to his eldeſt brother, and therefore the petitioner ould not have been his heir at law with others.

All which is reſpectfully ſubmitted.

SAMUEL JONES, *Comptroller.*

ALBANY, *5th March*, 1799.

*Reſolved*, That this Houſe do agree with the Comptroller in his ſaid report.

The Houſe proceeded to the reconſideration of the amendment of this Houſe to he bill entitled "An act to explain the law and rectify miſtakes reſpecting the pay-ent and remiſſion of quit rent," which was not concurred in by the Hon. the enate.

The ſaid amendment was again read, and a motion was made that this Houſe do ecede from their ſaid amendment. Mr. Speaker put the queſtion on the ſaid mo-ion, and it was carried in the affirmative. The yeas and nays being called for by Mr. Bruyn, ſeconded by Mr. Arcularius, were as follows, viz.

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Mr. Abeel | Mr. De Witt | Mr. Landon | Mr. H. Smith |
| Mr. Adams | Mr. Dodge | Mr. Lott | Mr. John Smith |
| Mr. Adriance | Mr. Doty | Mr. J. M'Kinſtry | Mr. John M. Smith |
| Mr. Arcularius | Mr. Floyd | Mr. M'Neil | Mr. Joſhua Smith |
| Mr. Bill | Mr. Fort | Mr. Micheau | Mr. Philip Smith |
| Mr. Blake | Mr. Furman | Mr. E. Mott | Mr. Storm |
| Mr. Bruyn | Mr. German | Mr. W. Mott | Mr. Swart |
| Mr. Burling | Mr. B. Gilbert | Mr. Oſtrom | Mr. Teed |
| Mr. Burt | Mr. E. Gilbert | Mr. Paine | Mr. P. Ten Broeck |
| Mr. Butler | Mr. Gray | Mr. Pearce | Mr. S. Ten Broeck |
| Mr. Clark | Mr. Heermance | Mr. Philips | Mr. Thomas |
| Mr. Clift | Mr. Hoag | Mr. Savage | Mr. Van Benthuyſen |
| Mr. Coe | Mr. Hogeboom | Mr. Schermerhorn | Mr. Van Renſelaer |
| Mr. Corl | Mr. Honeywell | Mr. Schuneman | Mr. Voorhis |
| Mr. Crocker | Mr. Hopkins | Mr. Schuyler | Mr. Waren |
| Mr. Cummings | Mr. Hunt | Mr. Shurtleff | Mr. Weſtcott |
| Mr. Deitz | Mr. Johnſon | Mr. Skidmore | Mr. Wolfe 72 |
| Mr. Dewey | Mr. Kane | Mr. A. Smith | |

*For the Negative.*

| | | | |
|---|---|---|---|
| Mr. Baldwin | Mr. Comſtock | Mr. C. Lanſingh | Mr. Robins |
| Mr. Boyd | Mr. Fairlie | Mr. Moore | Mr. Root |
| Mr. Burr | Mr. Gates | Mr. Pauling | Mr. Swartwout |
| Mr. Campbell | Mr. Hall | Mr. Peck | Mr. Tabor |
| Mr. Carpenter | Mr. Henry | Mr. Prevoſt | Mr. Veeder 20 |

Thereupon, *Reſolved*, That this Houſe do recede from their ſaid amendment.

*Ordered*, That Mr. Swart and Mr. Swartwout deliver the bill to the Hon. the Senate, and inform them that this Houſe have receded from their amendment, and have paſſed the bill without amendment.

*Ordered*, That the conſideration of the amendments of the Hon. the Senate to the bill entitled "An act relative to the clerk's office of the ſeveral counties, and the examiners and clerks in the court of chancery," be further poſtponed until to-morrow.

Purſuant to the order of the day the Houſe proceeded to the conſideration of the reſolutions of the Hon. the Senate relative to certain propoſed amendments to the conſtitution of the United States, as entered on the journal of this Houſe of the 19th day of February laſt. The ſaid reſolutions were read, and debates had thereon. Mr. Shurtleff made a motion that the Houſe ſhould concur with the Hon. the Senate in the ſaid reſolutions, and it paſſed in the negative. The yeas and nays being called for by Mr. Van Benthuyſen, ſeconded by Mr. Baldwin, were as follows, viz.

*For the Negative.*

| | | | |
|---|---|---|---|
| Mr. Adriance | Mr. Corl | Mr. M'Intyre | Mr. John Smith |
| Mr. Arcularius | Mr. Crocker | Mr. Moore | Mr. Joshua Smith |
| Mr. Baldwin | Mr. Fairlie | Mr. E. Mott | Mr. Storm |
| Mr. Blake | Mr. Floyd | Mr. Philips | Mr. Swartwout |
| Mr. Boyd | Mr. German | Mr. Prevoſt | Mr. Tabor |
| Mr. Bruyn | Mr. E. Gilbert | Mr. Reynolds | Mr. S Ten Broeck |
| Mr. Burling | Mr. Heermance | Mr. Robins | Mr. Thomas |
| Mr. Burr | Mr. Hogeboom | Mr. Root | Mr. Van Benthuyſen |
| Mr. Burt | Mr. Honeywell | Mr. Savage | Mr. Veeder |
| Mr. Carpenter | Mr. Hopkins | Mr. Schuneman | Mr. Waren |
| Mr. Clark | Mr. Hunt | Mr. Skidmore | Mr. Weſtcott |
| Mr. Coe | Mr. Johnſon | Mr. A. Smith | Mr. Wolfe |
| Mr. Comſtock | Mr. Landon | Mr. H. Smith | |

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Mr. Abeel | Mr. Fort | Mr. C. Lanſingh | Mr. Peck |
| Mr. Bill | Mr. French | Mr. J. Lanſingh | Mr. Schermerhorn |
| Mr. Butler | Mr. Furman | Mr. Lott | Mr. Schuyler |
| Mr. Campbell | Mr. Gates | Mr. J. M'Kinſtry | Mr. Shurtleff |
| Mr. Clift | Mr. B. Gilbert | Mr. M'Neil | Mr. John M. Smith |
| Mr. Cummings | Mr. Gray | Mr. Micheau | Mr. Philip Smith |
| Mr. Deitz | Mr. Hall | Mr. W. Mott | Mr. Swart |
| Mr. Dewey | Mr. Henry | Mr. Oſtrom | Mr. Teed |
| Mr. De Witt | Mr. Hoag | Mr. Paine | Mr. P. Ten Broeck |
| Mr. Dodge | Mr. Kane | Mr. Pauling | Mr. Van Renſſelaer |
| Mr. Doty | Mr. King | Mr. Pearce | Mr. Voorhis |

Thereupon, *Reſolved*, That this Houſe do not concur with the Hon. the Senate in their ſaid reſolutions.

*Ordered*, That Mr. Swart and Mr. Swartwout deliver a copy of the preceding reſolution to the Hon. the Senate.

Mr. Dewey from the committee of the whole Houſe on the bill entitled "An act for the aſſeſſment and collection of taxes," reported, that in proceeding in the ſaid bill, Mr. Philip Smith made a motion to expunge from the third enacting clauſe thereof the words "*all monies at intereſt, ſecured by bonds, notes or mortgages, at the nominal value thereof*;" that debates were had, and the queſtion having been put thereon, it was carried in the affirmative; that the yeas and nays were called for by Mr. Peck, ſeconded by Mr. Van Benthuyſen, and were as follows, viz.

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Mr. Arcularius | Mr. B. Gilbert | Mr. C. Lanſingh | Mr. Shurtleff |
| Mr. Bill | Mr. Gray | Mr. J. Lanſingh | Mr. Skidmore |
| Mr. Burr | Mr. Hall | Mr. Lott | Mr. H. Smith |
| Mr. Burt | Mr. Heermance | Mr. M'Neil | Mr. Philip Smith |
| Mr. Butler | Mr. Henry | Mr. Micheau | Mr. Speaker |
| Mr. Clift | Mr. Hoag | Mr. Philips | Mr. Storm |
| Mr. Coe | Mr. Hogeboom | Mr. Prevoſt | Mr. Swart |
| Mr. Deitz | Mr. Hunt | Mr. Reynolds | Mr. Teed |
| Mr. Fairlie | Mr. Johnſon | Mr. Root | Mr. S. Ten Broeck |
| Mr. Floyd | Mr. Kane | Mr. Savage | Mr. Voorhis |
| Mr. Fort | Mr. Landon | Mr. Schuneman | Mr. Wolfe |
| Mr. German | | | |

*For the Negative.*

| | | | |
|---|---|---|---|
| Mr. Abeel | Mr. Crocker | Mr. E. Mott | Mr. John Smith |
| Mr. Adams | Mr. De Witt | Mr. W. Mott | Mr. John M. Smith |
| Mr. Adgate | Mr. Dodge | Mr. Oſtrom | Mr. Joſhua Smith |
| Mr. Adriance | Mr. Gates | Mr. Paine | Mr. Snell |
| Mr. Baldwin | Mr. E. Gilbert | Mr. Pauling | Mr. Tabor |
| Mr. Blake | Mr. Honeywell | Mr. Peck | Mr. Van Benthuyſen |
| Mr. Boyd | Mr. Hopkins | Mr. Schermerhorn | Mr. Veeder |
| Mr. Burling | Mr. King | Mr. Schuyler | Mr. Waren |
| Mr. Campbell | Mr. M'Intyre | Mr. A. Smith | Mr. Weſtcott |
| Mr. Comſtock | Mr. Moore | | |

Mr. Dewey reported further progreſs and obtained leave to ſit again.

*Reſolved*, That this Houſe will to-morrow again reſolve itſelf into a committee of the whole Houſe on the ſaid bill.

Then the Houſe adjourned until ten o'clock to-morrow morning.

WEDNESDAY, *ten o'clock, A. M. March 6th*, 1799.

The bill entitled "An act to authorize the building a bridge acroſs Eaſtcheſter creek, and for laying out a new road through the town of Pelham, and through part of the towns of Rochelle and Eaſtcheſter," was read the ſecond time and committed to a committee of the whole Houſe.

A petition of Thomas Wilſon, relative to a deciſion of the commiſſioners for ſettling diſputes concerning the titles to lands in the military tract, was read and referred to Mr. Hopkins, Mr. Bill and Mr. Burr.

A petition of Iſaac Sehring, praying compenſation for certain cannon taken from his father in the year 1775, and appropriated to public uſe, was read and referred to Mr. Boyd, Mr. De Witt and Mr. Corl.

A petition of Samuel Avery and others, grantees of certain lands ceded by this ſtate to Vermont, praying that each perſon that ſhall eſtabliſh his claim to a portion of the 30,000 dollars paid by the ſtate of Vermont, may be allowed the intereſt on ſuch portion from the time the ſaid money was paid into the treaſury of this ſtate; and the petition of the truſtees of the Florida library, in the county of Montgomery, praying a grant of a proportionate part of the lands in the county of Onondaga, ſet apart for the promotion of literature, were ſeverally read: Thereupon,

*Ordered*, That the petitioners have leave reſpectively to withdraw their petitions.

A petition of William Adams, of the county of Ontario, relative to a lot of land in the ſaid county, was read and referred to the commiſſioners of the land-office.

A petition of Richard Freeman, praying a grant of bounty lands for military ſervices, was read and referred to Mr. Bruyn, Mr. Campbell and Mr. Veeder.

A petition of Abigail Vergereau, widow of Peter Vergereau, late a lieutenant in the American army; and a petition of John Dixey, the huſband of Suſannah Vergereau, daughter of the aforeſaid Peter Vergereau, were ſeverally read and referred to Mr. Nexen, Mr. John Smith and Mr. Pearce.

Five ſeveral petitions from inhabitants of the city of New-York, praying a repeal of the act eſtabliſhing a juſtice's court in ſaid city, were ſeverally read and referred to Mr. Furman, Mr. Lefevre, Mr. Swartwout, Mr. M'Neil, Mr. Philips, Mr. Gray and Mr. Hall.

A petition of Robert Bowne and others, creditors of James Seaman of the city of New-York, praying an act for the relief of the ſaid James Seaman, was read and referred to the committee appointed to confer with a committee on the part of the Hon. the Senate relative to the petitions for relief to impriſoned debtors.

A petition of Gideon Weiſt and others, freeholders and inhabitants of the lower end of the town of Walton, in the county of Delaware, praying to be erected into a ſeparate town by the name of Milton, and that the time for holding annual town-meetings may be altered, was read: Thereupon,

*Ordered*, That ſo much of the ſaid petition as reſpects the diviſion of ſaid town be referred to Mr. Butler, Mr. King and Mr. B. Gilbert, and that part thereof reſpecting the time of holding town-meetings be referred to Mr. Teed, Mr. Thomas, Mr. Root, Mr. Dewey and Mr. Pauling.

A petition of John Warford and others, inhabitants of the county of Waſhington, praying that a law may be paſſed veſting the property of perſons abandoning themſelves to drunkenneſs in the poor maſters, was read and referred to Mr. Thomas, Mr. W. Mott and Mr. Tabor.

*Reſolved*, That a committee be appointed to take into conſideration whether any, and if any, what alterations ought to be made in the laws of this ſtate reſpecting the real eſtates of perſons dying inteſtate, and report their opinion thereon by bill or otherwiſe, and that Mr. Savage, Mr. Floyd, Mr. Prevoſt, Mr. Weſtcott and Mr. Adriance be of the ſaid committee.

Mr. Johnſon from the committee to whom were referred ſundry petitions and a remonſtrance relative to a bridge acroſs Wapping's creek, in the county of Dutcheſs, reported a reſolution which was read and agreed to by the Houſe, and is in the words following, viz.

*Reſolved*, if the honorable the Senate concur herein, That Samuel Bogardus and John Drake, jun. have leave to preſent to either Houſe of the Legiſlature, at their next ſeſſion, a bill for the erection of a bridge over Wapping's creek, near the junc-

tion of the ſaid creek with the Hudſon river, provided they cauſe a copy of this reſolution to be previouſly inſerted in the newſpaper called the Poughkeepſie Journal for ſix weeks ſucceſſively.

*Ordered*, That Mr. Tabor and Mr. Teed deliver a copy of the ſaid reſoluion to the Hon. the Senate.

Mr. E. Gilbert from the committee to whom was committed the bill entitled "An act to amend an act to eſtabliſh a turnpike corporation for improving the road from the ſprings in Lebanon, to the city of Albany," reported, that the committee had gone through the bill, filled up the blanks, made amendments and agreed to the ſame, which he was directed to report to the Houſe, and he read the report in his place, and delivered the bill and amendments in at the table, where they were again read and agreed to by the Houſe.

*Ordered*, That the bill be engroſſed.

Mr. Cummings from the committee to whom was committed the bill entitled "An act to authorize the raiſing a further ſum of money for completing the court-houſe in the county of Herkimer," reported, that the committee had gone through the bill and agreed to the ſame without amendment, which he was directed to report to the Houſe, and he read the report in his place, and delivered the bill in at the table, where the ſame was again read and agreed to by the Houſe.

*Ordered*, That the bill be engroſſed.

Mr. Storm from the committee appointed for the purpoſe, brought in, according to order, a bill entitled "An act further to amend an act entitled "An act for ſuppreſſing immorality," paſſed the 3d of April, 1798, which was read the firſt time and ordered a ſecond reading.

Mr. Hopkins from the committee to whom were referred the petitions of John Woodworth and others, and of Amaſa Woodworth and others, reported, that they have taken into conſideration the ſaid petitions, and have likewiſe received information from the Surveyor-General that the lands, as deſcribed in the petitions, are unappropriated, and are therefore of opinion that proviſion ought to be made by law to direct the commiſſioners of the land-office to ſell the ſaid land to the petitioners on ſuch terms as they ſhall judge moſt conducive to the intereſt of the ſtate.

*Reſolved*, That this Houſe do concur with the committee in their ſaid report.

*Ordered*, That the ſame committee do prepare and bring in a bill for the ſale of the unappropriated lands in the middle and eaſtern diſtricts of this ſtate.

A meſſage from the Hon. the Senate, delivered by Mr. Sanders and Mr. Sands, with the bill therein mentioned, was read, that the Senate have paſſed the bill entitled "An act relative to putting up pickled fiſh, and to prevent the ſetting of nets in certain parts of the Hudſon river, and for other purpoſes," to which they requeſt the concurrence of this Houſe; the ſaid bill was read the firſt time and ordered a ſecond reading.

The Hon. the Senate returned, by Mr. Sanders and Mr. Sands, the bill entitled "An act for the relief of Nathan Wilſon and John Warford."

*Ordered*, That Mr. Teed and Mr. P. Ten Broeck deliver the bill to the Hon. the Council of Reviſion.

Mr. Prevoſt from the committee to whom was committed the bill entitled "An act for the relief of Mary Brannon," reported, that the ſaid Charles Brannon died ſeized and poſſeſſed of a real and perſonal eſtate of the value of ſix thouſand pounds, or thereabouts; that the perſonal eſtate was, in value, upwards of three thouſand pounds; that the ſaid Mary Brannon has taken out adminiſtration, and is in poſſeſſion thereof; that in addition thereto the ſaid Mary Brannon is entitled to her dower in the ſaid real eſtate, whereof the premiſes in the bill mentioned are part.

Thereupon, *Ordered*, That the ſame, together with the ſaid report, be committed to a committee of the whole Houſe.

The report of the ſuperintendant of the ſalt ſprings was read, and is in the words following, viz.

*To the* REPRESENTATIVES *of the* PEOPLE *of the* STATE *of* NEW-YORK, *in Senate and Aſſembly convened.*

*The Superintendant of the Onondaga Salt Works, purſuant to law, reſpectfully* REPORTS,

THAT in the courſe of the year paſt, the Superintendant has leaſed the remaining manufacturing lots, laid out by the Surveyor-General in the year 1797, and not leaſed by him, on which are new ſalt works erected, and boiling ſalt; and has laid out thirteen additional manufacturing lots, having ſalt water on each of them, on the northerly ſhore of the Onondaga lake; on moſt of which ſalt works are compleated and boiling ſalt, and others are preparing their works for that purpoſe, and many have received their leaſes; and has laid out paſture lots on the moſt convenient ſituation to accommodate each ſalt lot; as alſo the village lots of Salina, agreeable to the maps filed in the office of the Surveyor-General.

As to the meadow lots on the marſh, it has not been in the power of the Superintendant to lay them out this laſt ſeaſon, owing to various circumſtances; nor hath he had the means of fencing in the wood land on the ſalt reſervation, by the avails of the rent of the leaſes; although he advertiſed for contracting with the leſſees to fence in the timber land, but none ſaw fit to contract.

Agreeable to the ſupplementary act, paſſed the honorable Legiſlature the laſt winter ſeſſion, concerning the ſalt ſprings, all the former leſſees, excepting Aſa Danforth & Co. Iſaac Van Vleck and James Geddis & Co. have changed the covenant of their leaſes from paying their rents by the buſhel of ſalt, to the capacity of the kettles or pans uſed, or to be uſed, in boiling of ſalt; and it is found to be in favor of thoſe leſſees who carried on their manufactory of ſalt with induſtry, nearly one quarter part of what they formerly covenanted to pay by the buſhel of ſalt, which has a tendency to encourage the manufacturers to induſtry in their progreſs of making ſalt, to the benefit of the public in general as well as to their private advantage, and prevents many evaſions of the law in aſcertaining the rents due to the ſtate.

The mode adopted by law of eſtimating the ſalt by weight, at 56 lb per buſhel, appears from obſervation to be the moſt equitable, as the bings of the ſalt, when properly drained of the pickle, ſo as to be merchantable, taking the average of the ſalt, hold out weight by the meaſure, which was formerly made at theſe works, and diſcovers the impurities of the ſalt, if any, as the ſpecific gravity of impure ſalt is greater than that which is merchantable.

The Suberintendant is ſorry to have reaſon to obſerve, that many of the manufacturers, from neglect or fraudulent principles, have not paid that attention in making the ſalt pure, by neglecting to extract fully the bitterings (ſo called) out of the ſalt, which deſtroys the quality and leaves the ſalt in a moiſt, diſſolving ſtate, to the injury of the purchaſer. The Superintendant has repeatedly made uſe of every obſervation he was capable of to induce thoſe manufacturers to pay attention to cleanlineſs and purity, ſo eſſential in the manufactory of their ſalt, as it would convince the public of their honeſty as manufacturers; and by branding their names on their barrels, &c. of ſalt, agreeable to law, and the covenants of their reſpective leaſes, would eſtabliſh the credit and reſpectability of their manufactories of ſalt; in many inſtances it hath availed nothing: he hath repeatedly called on the manufacturers, in the moſt preſſing terms, to furniſh themſelves with brands, although ſo long a time hath elapſed ſince the commencement of their leaſes, and thoſe few who have furniſhed themſelves with brands ſeem to decline branding their caſks generally; and the law for inſpecting and weighing the ſalt has been as much evaded as poſſible by many of the manufacturers, more eſpecially in the fore part of laſt ſummer; which induced the Superintendant, from information that ſome of the ſalt, after being weighed and branded, part had been ſtarted out of the caſks after inſpection, to adopt a mode to be in future attended to, by deducting the tare of the caſks, and marking the neat pound weight of ſalt the caſk contained at the time of inſpection with a marking iron, juſt under his brand, and advertiſed it in ſeveral of the newſpapers printed in the weſtern part of the ſtate, and circulated written ones in the ſeveral parts of the weſtern country dependant on theſe factories for ſalt, and to induce the purchaſers to have the ſalt they purchaſed weighed, and to compel the manufacturers to comply with that part of the law, and prevent impoſitions; having kept a regiſter of every barrel ſo inſpected, and have been obliged in many inſtances to make deductions out of the weight of the caſks of ſalt, for the impurities

of the ſalt, ſo as to do juſtice to the purchaſer as far as it was in his power; but notwithſtanding, the inſpection is evaded in many inſtances, as there is no forfeiture of the ſalt that is ſold without inſpection and branding, in the exiſting law. The Superintendant hopes that this line of conduct of his will meet with the approbation of the Legiſlature, as there was no law authorizing him in attemping to do juſtice between the purchaſer and the manufacturer in this manner.

The following ſtatement will ſhew the honorable Legiſlature the ſituation of the manufactory of ſalt in the public ſalt reſervation, ſpecifying the names of the leſſees and manufacturers who carry on works; the number of kettles boiling ſalt the 1ſt day of February inſt. 1799; the capacity of gallons of the kettles, and the quantity of ſalt, as near as it is poſſible for the Superintendant to aſcertain, as ſtated in the ſeveral columns.

*A general Statement of the number of Kettles and their capacity in gallons, set in furnaces in each of the Works on the [illegible] at each of the Works from the 20th of June, 1797, to the 1st of May, 1798, and from thence to the 1st day of February, 1799, &c.*

| NAMES | No. of salt manufacturing lots. | Date. From the | Date. To the | Kettles. No. of Kettles 1 Feb. 1799. | Kettles. Amount of gallons of capacity on the lot. | The quantity of salt made including that reported to the legislature last winter. Amount rendered on oath from 20 June, 1797, to 1 May, 1798. | Amt. from 1 May, 1798 to 1 Feb. 1799. | Total amount of salt made. | REMARKS. |
|---|---|---|---|---|---|---|---|---|---|
| | No. | | | | | Bushels. | Bushels. | Bushels. | |
| Samuel Cook | 1 | 6 Oct. 1798 | 1 Feb. 1799 | 8 | 784 | | 795 | 795 | Lessee |
| Philip Reiley | 2 | 20 June, '97 | do. | 10 | 755 | 1430½ | 4125 | 5555½ | do. |
| Benjamin Morris and John Pheatt | 2 | do. | 1 Nov. '98 | | | 4294 | | 4294 | do. |
| Benjamin Morris | 2 | 1 Nov. '98 | 1 Feb. 1799 | 8 | 574 | | 685½ | 685½ | do. |
| John Pheatt | 2 | do. | do. | 8 | 474 | | 3016½ | 3016½ | do. [one of the lessees |
| Asa Danforth and Co. | 3, 4, & 8 | 20 June, '97 | do. | 62 | x4689 | 14039¼ | 11084* | 25124† | These accounts are rendered on oath of Elisha Alrord, |
| Asa Danforth and Prosper Polly | canal strt. | 1 May, '98 | do. | 10 | 853 | | 880¾ | 880¾ | Do. on the oath of Prosper Polly, who is tenant to |
| William Gillchris | 5 and 6 | 20 June, '97 | do. | 18 | 1588 | 3556 | 3375¼ | 6931¼ | Lessee [Asa Danforth |
| Thomas Orman | 7, 10, 13 | do. | do. | 22 | 1676 | 6145¼ | 7344½ | 13490¼ | do. |
| Isaac Van Vleck | 9 | do. | do. | 6 | x480 | 1820¾ | 1940¼ | 3761 | These accounts are rendered on oath |
| Simon Phares | canal strt. | do. | 1 May, '98 | | | 3559 | | 3559 | Tenant to Asa Danforth |
| John Trask | 12 | 1 Nov. '98 | 1 Feb. '99 | 8 | 551 | | 214 | 214 | Lessee |
| Nathaniel Smith | 14 | 1 Oct. '98 | do. | 6 | 534 | | 1180 | 1180 | do. |
| John White and Amos Fuller | 15 | do. | do. | 8 | 565 | | 797 | 797 | do. |
| Nathan Miles and Ebenezer Hill | 16 | do. | do. | 8 | 666 | | 789 | 789 | do. |
| James Geddis and Co. | 20 | 20 June, '97 | 1 May, '98 | | | 957½ | | 957½ | This account is rendered on the oath of James Geddis |
| Samuel Gillchris & Samuel Hayden | 20 | 1 Nov. '98 | 1 Feb. 1799 | 14 | x1120 | | 751 | 751 | Rendered on the oath of the assignees of James Geddis |
| Simon Phares | 11 | do. | do. | 6 | 471 | | 871 | 871 | Lessee [and the other lessees lot 20 |
| Lewis Van Slyck | 21 | do. | do. | 6 | 473 | 203½ | 141¼ | 344¾ | do. |
| Andrew Phares | 22 | 20 June, '97 | 11 June, '98 | | | 1282 | 245 | 1527 | Andrew Phares sold to John Eddy [back to Phares |
| John Eddy | 22 | 11 June, '98 | 11 Nov. '98 | | | | 300 | 330 | John Eddy, who has gone off & the salt works reverted |
| Caleb Hopkinson | 22 | 11 Nov. '98 | 1 Feb. 1799 | 8 | 643 | | 762½ | 762½ | Andrew Phares has sold them to Caleb Hopkinson |
| George Corey | 23 | 20 June, '97 | do. | 4 | 320 | 960¼ | 849 | 1809¼ | Lessee |
| Charles Jones | 24 | do. | 8 Jan. 1799 | | | 123 | 475 | 598 | Charles Jones sold his works on lot No. 24 to |
| Thomas Pool and Rufus Danforth | 24 | 8 Jan. 1799 | 1 Feb. 1799 | 6 | 525 | | 300 | 300 | Thomas Pool and Rufus Danforth |
| John Danforth | 25 | 20 June, '97 | do. | 4 | 511 | 799¼ | 1050½ | 1850¼ | Lessee |
| David Gilson | 27 | 1 May, 1798 | do. | 8 | 430 | | 980 | 980 | do. |
| Patrick Reiley and James Armstrong | 28 | 31 Jan. '98 | do. | 4 | 240 | 62 | 1157 | 1219 | Lessees [Onondaga creek on the W. side |
| Ephraim Webster | | Jan. 1799 | do. | 4 | 270 | | 60 | 60 | Has newly erected a salt works about ¼ of a mile up the |
| | | | Total | 246 | 19118 | 39233¾ | 44169* | 83403† | |

*11084 49/56  †25124 7/56

[ 179 ]

From the above ſtatement of the number of kettles, as ſome of the manufacture have exchanged their ſmall kettles for larger ones, which increaſes the number of gallons of the capacity of theſe kettles to the number reported laſt year; thoſe marked thus X, the capacity is not meaſured, but only eſtimated, as thoſe leſſees who own them chooſe to account for their rents by the buſhel of ſalt, agreeable to the covenant of their leaſes. From the column of the kettles in the above ſtatement ſhews that 246 kettles, containing 19,118 gallons of capacity, produced in the manufactory of ſalt from the commencement of the firſt leaſes, 83,403$\frac{7}{56}$ buſhels as the neat proceeds of ſalt; and deducting the number of buſhels of ſalt reportedthe ſ day of February, 1798, to the Legiſlature (the laſt winter ſeſſion) being 25,47 buſhels from the amount of the preſent report, leaves 57,929$\frac{7}{56}$ buſhels of ſalt, th proceeds of the kettles of the laſt year nearly.

The manufactories have not produced ſo large a quantity of ſalt as might hav been contemplated, as ſeveral of the works have been lying ſtill a conſiderable pro portion of the ſummer and fall, in repairing their works and rebuilding the furnace and from various other cauſes.

From the proſpect of the increaſing importance of the manufactory of ſalt on th Onondaga ſalt reſervation, as the ſalt water is of ſuperior quality to any as yet di covered in the northern parts of America; and from the growing population of th weſtern part of this and ſome of the neighboring ſtates and Canada, which have had consiſderable proportion of the ſalt made at theſe works, tranſported by water to ſup ply the inhabitants with that eſſential neceſſary of life, it is to be lamented that th works are not conſtructed in a more permanent manner, and the furnaces conſtruct ed on a more economical principle; to make the works convenient for the work men and cleanlineſs of the ſalt, and ſave a part of the great conſumption of fuel tha is now conſumed in the preſent mode of the manufacturing of ſalt at thoſe works which may be eſtimated at *one load of wood to ten buſhels of ſalt* the year round, nearly but, from the ſhortneſs of the remaining term of the preſent leaſes, and from the un certainty of having their leaſes renewed, it is not to be expected that they will mak any eſſential improvement in the preſent manner of carrying on the manufactory o ſalt. It appears to be a matter of ſerious importance for the honorable Legiſlatur in their further arrangements at the expiration of the preſent leaſes, in forming th manufacturing works on permanent and economical principles, to have them con ſtructed ſo as to be convenient and comfortable for the manufacturers to work in which would add greatly to their health, and ſave a great proportion of the fue now conſumed in making the ſame quantity of ſalt.

The Superintendant has not been able to collect but a very ſmall part of the rents due to the ſtate; and at the ſtated periods by law, has reported to the Attorney General of this ſtate thoſe who were delinquent in paying their rent, with the bal ances due from them. In the month of Auguſt laſt he made out a general accoun current of all the accounts with each leſſee and manufacturer who occupied ſal works on the public ſalt reſervation, of all the rents due from them up to the firſt day of Auguſt, and tranſmitted one copy to his Excellency the Governor, one to the Comptroller and one to the Attorney-General, who commenced ſuits on the balances of ſaid accounts then due; ſome of the leſſees, ſince thoſe ſuits have been inſtituted ſeem more ſolicitous concerning the rents they owe.

The following ſtatement will, at one view, ſhew the amount of the rents due at the different periods of time, the ſums paid by each, for whom received, and the final balance due the ſtate the firſt day of February inſtant, 1799.

*A general Statement of the amount of the Rents due on each leased Premises from the 20th of June, 1797, to the 1st of May, 1798, and the Amount of Rent for the year up to the 1st day of February, 1799, and the sums paid by the Lessees and for whose benefit, agreeable to the Lessees' account current with the Superintendant of the Salt Works, in behalf of the People of the State of New-York.*

| NAMES. | No. of manufactoring lots. | Lessees Dr. Amount of rent due previous to 1st May, 1798. | Amount of rent due from 1st of May to 1st of August, 1798. | Amount of rent due from 1st of August to 1st of Nov. 1798. | Amount of rent due from 1st of Nov. 1798, to 1st of Feb. 1799. | Total amt. of rent the 1st day of February, 1799. | Contra Cr. By amount paid in part of the rent previous to 1st of May 1798. | By amount paid in part of the rent between 1st May & 1st Aug. 1798. | By amount paid in part of rent between 1st Aug. & 1st Nov. 1798. | By amount paid between 1st Nov. 1798 and the 1st Feb. 1799. | Total amt. paid up to the 1st of Feb. 1799. | Amount received on the account of the superintendant. | Amount received on account of the state of New York | Total balance due from each Lessee to the state N. York from 20 June 1797 to 1st of Feb. 1799. | REMARKS. |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | Dolls. Cts. | Dolls. Cts. | Dolls. Cts. | Dolls. Cts. | Dolls. Cts. | Dolls. Cts. | Dolls. Cts. | Dolls. Cts. | Dolls. Cts. | Dolls. Cts. | Dolls. Cts. | Dolls. Cts. | Dolls. Cts. | |
| Samuel Cook | 1 | | | | 34 21 | 34 21 | | | | | | | | 34 21 | |
| Philip Reiley | 2 | 57 21 | 34 32 | 34 32 | 35 50 | 161 36 | | | 9 67 | | 9 67 | | 9 67 | 151 69 | |
| Benjamin Morris and John Pheatt | 2 | 171 76 | 36 | 36 | | 243 76 | | | 10 80 | | 10 80 | | 10 80 | 233 96 | |
| Benjamin Morris | 2 | | | | 20 95 | 20 95 | | | | 9 60½ | 9 60½ | 9 60½ | | 11 34½ | |
| John Pheatt | 2 | | | | 28 44 | 28 44 | | | | | | | | 28 44 | |
| Asa Danforth and Co. | 3, 4 & 8 | 561 57 | 249 44 | 70 24 | 146 59½ | 1027 84½ | 6 | | | 22 88 | 28 88 | 28 88 | | 998 96½ | |
| William Gillchris | 5 & 6 | 142 24 | 76 68 | 76 56 | 95 28 | 390 76 | | 12 25 | | | 12 25 | 12 25 | | 378 51 | |
| Thomas Orman | 7, 10, 13 | 245 83 | 73 70 | 80 16 | 93 76 | 493 45 | | 13 81 | 38 00 | 10 24 | 61 55 | 43 39 | 18 16 | 431 90 | |
| Isaac Van Vleck | 9 | 72 83 | 19 24 | 18 02 | 40 35 | 150 44 | | 26 39 | 27 30½ | 25 51½ | 79 21 | 69 82 | 9 39 | 71 83 | |
| Simon Phares | 11 | 134 36 | 24 02 | 24 02 | 24 02 | 209 42 | | | 12 | | 12 | | 12 | 197 42 | |
| John Trask | 12 | | | | 20 54 | 20 54 | | | | 20 54 | 20 54 | 20 54 | | | |
| Nathaniel Smith | 14 | | | | 42 72 | 42 72 | | | | 21 84 | 21 84 | 21 84 | | 20 88 | |
| John White and Amos Fuller | 15 | | | | 26 91 | 26 91 | | | | | | | | 26 91 | |
| Ebenezer Hill and Nathan Miles | 16 | | | | 16 44 | 16 44 | | | | | | | | 16 44 | |
| James Geddis and Co. | 20 | 38 30 | | | | 38 30 | | | | 38 30 | 38 30 | 38 30 | | | [and others |
| Samuel Gillchris & Samuel Hayden | 20 | | | | 30 04 | 30 04 | | | | 7 | 7 | 7 | | 23 04 | Assignees of Jas. Geddis |
| Lewis Van Slyck | 21 | 8 14 | | | 25 18 | 33 32 | | | | | | | | 33 32 | |
| John Eddy | 22 | | 16 27 | 29 28 | | 45 55 | | | 35 20½ | | 35 20½ | 35 20½ | | 10 34½ | Balance of 10 dolls. 34½ |
| Andrew Phares assignee of J. Eddy | 22 | 51 28 | 13 01 | | 12 86 | 77 15 | | | | 5 78 | 5 78 | 5 78 | | 71 37 | cts. is charged in Andrew |
| Caleb Hopkinson do. of A. Phares | 22 | | | | 34 82½ | 34 82½ | | | | | | | | 34 82½ | Phares' account, as per |
| George Corey | 23 | 38 41 | 37 86 | 37 80 | 14 83 | 128 90 | | | | 9 | 9 | 9 | | 119 90 | notes |
| Charles Jones | 24 | 4 92 | 9 90 | 9 90 | 16 77 | 31 49 | | | | | | | | 31 49 | |
| Thomas Pool and Rufus Danforth | 24 | | | | 7 70 | 7 70 | | | | | | | | 7 70 | Assignees of Ch. Jones |
| John Danforth | 25 | 31 99 | 38 38 | 37 92 | 30 66 | 138 95 | | | | | | | | 138 95 | |
| David Gilson | 27 | | 14 40 | 14 40 | 22 76 | 51 56 | | | | | | | | 51 56 | |
| Patrick Reiley and James Armstrong | 28 | 2 48 | 17 28 | 28 34 | 14 60 | 67 70 | | | | | | | | 67 70 | |
| P. Polly rents A. Danforth's old work | canal str. | | 17 96 | 8 58 | 8 72 | 35 23 | | | | | | | | 35 23 | |
| Total Dolls. | | 1561 33 | 679 48 | 501 49 | 845 66 | 3587 96 | 6 | 51 95 | 130 98 | 170 70½ | 361 63½ | 301 61½ | 60 02 | 3226 32½ | |

In the column of amount received by the ſtate in the above ſtatement, is the amount of *one hundred buſhels* of ſalt, received of the leſſees on account of their rents and delivered to the Onondaga Indians for the year 1796 ; in the other credit, the Superintendant received in ſalt, &c. to pay his aſſiſtants, and board, &c.

The amount of balance due the ſtate on the firſt day of Auguſt laſt was *two thouſand, one hundred and ſeventy-eight dollars and fifty-ſix cents* from the different leſſees and manufacturers, for which the Attorney-General commenced ſuits ; and the amount of the balance due the ſtate, which has accrued ſince the ſaid firſt day of Auguſt laſt, amounts to *one thouſand and forty-three dollars and forty-ſix and* ½ *cents.*

The Superintendant would further obſerve, that the total amount of rent produced from leaſing the premiſes on which ſalt manufacturing works are erected from the 20th day of June, in the year 1797, (the date of the firſt leaſes) to the 1st day of February, 1799, being three thouſand five hundred and eighty-ſeven dollars and ninety-ſix cents.

From what has been ſtated the honorable Legiſlature will perceive the growing importance of the ſalt manufactory at the Onondaga ſalt ſprings, and by a judicious arrangement will be an increaſing fund to this ſtate, and of eſſential ſervice to the inhabitants of the weſtern country.

It muſt be obſerved that there are ſome men who are concerned in the manufactory of ſalt who exerciſe their buſineſs with prudent induſtry, and wiſh to be ſerviceable to ſociety ; but there are others who ſeem to be deſtitute of regular ſyſtems in the arrangement of their buſineſs, and do not appear to know how to realize the neat value of property from the manner they diſpoſe of their ſalt, neither ſhew that honeſt principle in the manufacturing their ſalt, which conſtitute good citizens, and render themſelves unable to pay both public and private contracts : therefore it appears to the Superintendant that it is abſolutely neceſſary to make ſuch arrangements as may put the manufactory of ſalt on a reſpectable eſtabliſhment to encourage induſtry and economy, and induce men of character and enterprize to be concerned in the manufacture of ſalt ; and to enable the manufacturer to pay his *rents* to the ſtate, and prevent thoſe impoſitions which the purchaſers of ſalt may be liable to.

For which purpoſe the Superintendant would beg leave to ſuggeſt to the conſideration of the Hon. Legiſlature, as the outlines of thoſe neceſſary amendments in the preſent exiſting laws concerning the ſalt ſprings, which appears to him, would have a tendency to remedy ſome of the evils which are complained of.

*Firſtly*, That no ſalt ſhall be packed after day of in any other caſk than water *tight barrels*, well made of ſeaſoned white oak timber, to hold not leſs than *thirty-eight*, nor more than *forty gallons*, to be well trimmed with twelve hoops, that is, three hoops in each chime, and three on each bilge, or the diameter of each head ſhall be *nineteen inches*, and the length of the barrel ſhall be *thirty inches* ; and the Superintendant ſhall not brand any caſk that ſhall not be as above ſpecified.

*Secondly*, That each leſſee or manufacturer of ſalt on the public ſalt reſervation, belonging to the people of the ſtate of New-York, ſhall not pack up their ſalt in any wooden packages other than in barrels, (agreeable to the firſt article) and to depoſit all the ſalt that they manufacture on the premiſes leaſed or occupied by them into the ſtores provided by the public ; & that no ſalt ſhall be permitted to be ſold directly or indirectly on ſaid leaſed premiſes or factories, or carried out of the manufacturing works, excepting to be depoſited in the public ſtores ; & the ſaid barrels of ſalt to be branded with the initials of his firſt name and ſur-name, or firm, at large in legible letters, on penalty of paying cents fine on each barrel not branded with his or their names or firms, and delivered to the Superintendant at ſaid ſtore to be inſpected & depoſited for ſale ; & further, that no ſalt ſhall be inſpected at any other place than at the ſaid ſtores and on the public wharf in Salt-ſtreet, leading to Baſon harbour, in order to accommodate thoſe who wiſh to ſend their ſalt immediately off by water ; and that no ſalt ſhall be ſhipped off but from the ſaid public wharf at Baſon habour for any market, on penalty of cents per barrel ſo ſent off by water.

*Thirdly*, That when the ſalt is delivered at ſaid ſtores and places of inſpection, it ſhall be the duty of the Superintendant or his Agent to receive ſaid ſalt and *carefully examine, try* and *inſpect* the ſame, and ſort the ſame into two qualities, if neceſſary,

o be packed each quality by itſelf, and to paſs no ſalt as the firſt quality, but that hich is well made, free from *dirt, filth* and the bitterings to be properly extracted ut of the ſalt and fully drained from the pickle; and in inſpecting to weigh the tare f each barrel and mark it on the bilge and on the head, to be branded; and after he ſalt is packed to weigh the barrel and ſalt, and deduct the *tare*, and mark it with arking irons the neat pounds weight of ſalt the barrel contains under the brands: hat if any of the barrels want trimming, the expence of cooperage ſhall be paid by he manufacturer; and each barrel of ſalt ſo inſpected ſhall be branded with the ini- ial of the Superintendant's firſt name and his ſur-name at large in legible letters, ith the words under his name *ſalt 1ſt quality, ſalt 2d quality*, as the caſe may be; and urther, that the firſt quality of ſalt ſhall not be ſold on the ſaid reſervation, for more han *ſixty cents* per buſhel, weighing 56*lb*. And the ſecond quality of ſalt for not more than cents per buſhel, weighing 56*lb*. of ſalt.

*Fourthly*, That it ſhall be the duty of the Superintendant, on receiving and in- ſpecting the ſalt in the public ſtores, to give the leſſee or manufacturer that depoſits his ſalt in ſaid ſtore a certificate, as follows:

No.

A. B.

Store No.

Barrels of Salt

No. of barrels of firſt quality.

No. Barrels 2d quality.

Diſtinguiſhing mark A.

No.

I certify that A. B. hath depoſited in the public ſtore, No. , in the Onondaga ſalt reſervation, barrels of ſalt, inſpected as per weigh bill, viz.

| Tare of each bbl. in pounds weight. | Neat pounds weight of ſalt each bbl. holds at the time of inſpection. | Quality of ſalt in each barrel on inſpection. | The value of the ſalt per buſhel, weighing 56 lb. per quality, deducting five cents. | Diſtinguiſhing mark of the barrels for which this certificate is given. |
|---|---|---|---|---|
| 48 | 280 | 1ſt quality. | 55 cents. | A. |
| 47 | 280 | 2d quality. | cents. | A. |

Which will be delivered by me or my ſucceſſor in the office of Superintendant of the Onondaga ſalt works, to the bearer of this certificate, on his paying *five cents* on every 56lb. weight of ſalt, as above ſpecified, on demand.

*Given at the office of Superintendant at Salina this day of in the year*

*per me,*

W. S. *Superintendant of Salt Works.*

And further, when any purchaſer of ſalt preſents the certificate and pays the *five ents*, the Superintendant ſhall deliver the bearer of the certificate the identical barrels f ſalt marked and ſpecified in the certificate, on demand; and it ſhall be the duty f the Superintendant to place four cents of the money received on every 56*lb*. of alt, to be credited to the accounts of rent due to the ſtate for the premiſes leaſed to he manufacturers that depoſited the ſalt, and *one cent* to be credited to the ſtate for torage; and the Superintendant, at the cloſe of every quarter of the year, ſhall balance he accounts of every leſſee or manufacturer, and after deducting the rents due from hem to the ſtate, the overplus ſhall be paid them within ſix days after the expira- ion of ſaid quarter of the year, or at their election, be placed to the credit of the ext quarter's rent.

*Fifthly*, That the Superintendant and his Aſſiſtant ſhall have full power by virtue f this act, and without further or other warrant, to enter on board of any boat or ther veſſel, waggon, cart, ſled or ſleigh, or any other carriage or vehicle of convey- nce, and ſtores and buildings where ſalt ſhall or may be ſuſpected to be depoſited ontrary to the meaning of this act, other than the manufactoring works or the ſalt ores belonging to them, within the limits and boundary lines of the public ſalt re- ervation; and if any perſon ſhall diſcover any caſks of ſalt not branded agreeable o law, and give information thereof to the Superintendant, they ſhall be forfeited, ne moiety to the diſcoverer, and the other to be appropriated as the Legiſlature ſhall irect; and any perſon or perſons who ſhall oppoſe or obſtruct ſaid officers, or in- ure them in the exerciſe of their duty in ſeizing ſuch ſalt not *inſpected* agreeable to w, every perſon ſo offending ſhall for ſuch offence forfeit the ſum of

*Sixthly*, That if any perſon or perſons ſhall counterfeit any of the aforeſaid rands or marks, or impreſs or brand the ſame on any *barrel* or *caſk* of *ſalt*, knowing uch brand or mark or impreſſion to be counterfeit, he, ſhe or they being thereof egally convicted, ſhall forfeit and pay the ſum of dollars.

*Seventhly.* That if any perſon ſhall empty any barrel or caſk of ſalt, branded a aforeſaid, in order to put in other ſalt for ſale or exportation, without firſt cutti out the ſaid brands and marks, the perſon or perſons ſo offending ſhall reſpective forfeit the ſum of dollars.

*Eighthly.* That if any perſon or perſons ſhall counterfeit the certificate, the Super intendant of ſalt works ſhall give for the ſalt inſpected and depoſited in the publ ſtore (as ſpecified in the fourth ſection) he, ſhe or they, being legally convict ſhall be

*Ninthly.* That all the fines and forfeitures mentioned in this act ſhall be recover ble in the ſame manner as other debts of the ſame value are recoverable by the la of this ſtate, by ſuit, bill, plaint or information, in the courts proper to try the ſame one moiety of all which fines and forfeitures (excepting ſuch as are herein befo otherwiſe applied) when recovered, ſhall (after deducting the neceſſary coſts) be im mediately paid into the hands of and the other half t the officer or other perſon who will ſue for the ſame.

The Superintendant would obſerve, from the firſt ſection of the propoſed amend ment, the ſalt being a periſhable article where moiſture effects, and the barrels be ing made tight, of good ſeaſoned timber, the ſalt can be tranſported in them wi ſafety, either by land or water, and expoſed to the weather without much loſs; an when the ſalt is ſtarted out of them they are valuable to the purchaſer, and bein of one ſize they will hold 280 lb. of ſalt, equal to five buſhels, without hurting th grain of the ſalt by pounding it down, and looks more pleaſing to the eye of the pur chaſer; and when they ſell the ſalt by the barrel there is not ſo much room for im poſitions.

With reſpect to the 2d and 3d ſections, the advantages which will naturally ari from them is ſuch as will introduce in the manufactory of ſalt, induſtry and economy and induce every manufacturer to be ambitious in eſtabliſhing his reputation, an prevent thoſe evaſions of the laws and impoſitions on the purchaſers. It is evide that the trouble of conveying the ſalt to the public ſtores will be fully compenſat to them by the advantage ariſing from this ſyſtem.

The 4th ſection on inſpection muſt be obvious to every perſon; the benef which muſt accrue to the manufacturer, firſt, it fully eſtabliſhes the reputa tion of the manufacturer of ſalt, the rent is paid to the ſtate imperceptibly to th leſſees, and if they carry on their buſineſs with induſtry and economy, will have drawback of *one cent* on the buſhel nearly of what ſalt is certified and vended, quar terly, and thoſe certificates iſſued on the bank of inſpected and depoſited ſalt in th ſtore, until the return of the certificate to draw it out of the ſtore, will become ne gociable between citizen and citizen in this weſtern country where money is ſo va ſcarce, ſimilar to a bank note, and the manufacturer of ſalt will be able to ſuppl himſelf with the neceſſaries and conveniencies of life on more moderate terms tha by trying the ſtrength of his credit on uncertain *due bills*, and the conſumers of ſa will not make fruitleſs journies for their ſalt, but, on producing the certificates, wi receive their ſalt with promptitude; the ſtate will receive the *rents* punctually, wit out the trouble of commencing proſecutions, and become a certain increaſing fun to this ſtate, and of important utility to the citizens thereof, &c.

The 5th, 6th, 7th and 8th ſections. It is evident that in eſtabliſhing ſo importa a ſyſtem it will be neceſſary to ſhut the door cloſely againſt every evaſion and impo ſition which may have a tendency to deſtroy the intent and purpoſes of the act, b every poſſible check, by fines and forfeitures, and ſuch other penalties as the Legi lature, in their wiſdom, ſee fit to adopt; and the 9th ſection of the appropriation of the fines and forfeitures, &c. the Superintendant begs leave to obſerve, as the ſit ation at the ſalt ſprings is unhealthy at certain ſeaſons of the year, and a great pa of the laborers are of the poorer claſs of people, that when in ſickneſs they are depriv of the advantages of their labor, they and their families often times are involved i want and diſtreſs; that the avails of the fines and forfeitures, under proper dire tors, be expended in rendering the ſituation of this place more healthy, and in r lieving the diſtreſſes of the poor and needy in the ſickly ſeaſon of the year, living t the public ſalt reſervation. Thoſe propoſed amendments and obſervations the Su perintendant would ſubmit to the wiſdom and conſideration of the honorable Le giſlature.

The Superintendant has finiſhed the ſalt ſtores ſo far as was contemplated, for the reception of the ſalt in caſks; but if it ſhould be deemed neceſſary to receive the ſalt in bulk from the manufacturers' works as they make it, ſo as to preſerve it from the duſt & filth it is expoſed to in their open, ſmoaky works, there will require to be made in the lower ſtory, binns ſuitably conſtructed to receive and drain the ſalt in, fit for inſpection. The ſum expended in building the ſalt ſtore, in the preſent ſtate, is *eight hundred and ſeventy-ſix dollars* and *twenty-four cents*. The dwelling houſe is forty feet long, twenty wide, and one ſtory and an half high, and has expended the ſum of *two hundred and ſixty-two dollars* and *fifty cents, and three-fourths of one cent*, which compleats the outſide work (excepting glaſs:) and has furniſhed 4000 brick for one ſtack of chimneys; and on repairing the block-houſe for an office & ſtore, has expended the ſum of *fifty-two dollars* and *ſixty-three cents*, and the remainder of the ſixty dollars granted by the Legiſlature the laſt year, will compleat what was contemplated to be done to it.

The Superintendant has been repeatedly diſappointed by thoſe he contracted with in building the wharf, ſome of which he hath commenced ſuits againſt in the Ondondaga court of common pleas, for the ſums of money he advanced them, and has contracted with others, who have a great part of the wood work of the wharf compleated, and will be graveled as faſt as the froſt will permit. When compleated, agreeable to contract, it will coſt nearly four hundred dollars.

After the wharf, and any addititional improvements which may be made on the ſalt ſtore as aforeſaid, that out of what may ſtill remain of the monies appropriated for thoſe purpoſes, may be applied to finiſh the dwelling houſe.

There have been ſeveral applications to have manufacturing lots laid out for erecting ſalt works on, ſo as to expend ſome part of the ſurplus ſalt water of the ſprings at Salina, in front of Fore-ſtreet, between Carbone and Spring ſtreets, and to have the water conveyed in pump logs (ſo called) laid under ground. The ſpace will accomodate ſix manufacturing lots, and a ſpace ſoutherly of manufacturing lot No. 1, between that and Mechanic-ſtreet, would make three lots more for the ſurplus ſalt water to be evaporated to ſalt, which would compleat the whole of the front of the village of Salina with manufacturing lots.

The Superintendant would further obſerve, that he hath diſcovered that ſeveral perſons who have been treſpaſſing on the public ſalt reſervation, by cutting valuable pine timber, without legal permiſſion agreeable to law, whoſe names he has tranſmitted to William Stewart, Eſq. Diſtriſt-Attorney-General, for proſecution at January term, in the county of Onondaga; and there have been ſome other perſons who have gone on the reſervation and attempted to cut cord wood without permiſſion required by law, who will be proſecuted as ſoon as in poſſeſſion of ſome evidences neceſſary. It appears abſolutely neceſſary that there ſhould be certain fines or penalties in addition to the common damages of treſpaſs, in order to deter perſons from treſpaſſing on ſaid lands.

The Superintendant would further ſuggeſt to the honorable Legiſlature, that from the various parts of duty which calls him in different directions in the execution of his office, he has been neceſſitated to hire aſſiſtants in order to have the duty attended to in all its parts, and the avails of the rents have not been received as was contemplated; he having received but a ſmall proportion of his ſalary, which has put him to inconveniences to pay his aſſiſtants and ſupport himſelf while attending on the buſineſs of the ſtate, prays that the Legiſlature, in their wiſdom, may grant him ſome relief.

All which the Superintendant of ſalt works reſpectfully ſubmits to the conſideration of the Honorable Legiſlature.

WILLIAM STEVENS,
*Superintendant of Salt Works.*

*Office of Superintendant,*
*Salina, February 22d, 1799.*

*Ordered*, That two hundred copies of the said report be forthwith printed for the use of this House.

*Ordered*, That Mr. Carpenter have leave of absence for six days.

Mr. Dewey from the committee of the whole House on the bill entitled "An act for the assessment and collection of taxes," reported, that in proceeding in the said bill, a motion was made to reconsider the question for expunging the words "all monies at interest secured by bonds, notes or mortgages, at the nominal value thereof," in the third enacting clause; that debates were had, and the question having been put thereon, it was carried in the affirmative; that the yeas and nays were called for by Mr. Van Benthuysen, seconded by Mr. John M. Smith, and were as follows, viz.

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Mr. Abeel | Mr. Cummings | Mr. W. Mott | Mr. John Smith |
| Mr. Adams | Mr. De Witt | Mr. Ofhorn | Mr. John M. Smith |
| Mr. Adgate | Mr. Dodge | Mr. Paine | Mr. Joshua Smith |
| Mr. Adriance | Mr. Gates | Mr. Pauling | Mr. Snell |
| Mr. Baldwin | Mr. E. Gilbert | Mr. Peck | Mr. Tabor |
| Mr. Blake | Mr. Henry | Mr. Root | Mr. P. Ten Broeck |
| Mr. Boyd | Mr. Honeywell | Mr. Savage | Mr. Thomas |
| Mr. Bruyn | Mr. Hopkins | Mr. Schermerhorn | Mr. Van Benthuysen |
| Mr. Burling | Mr. Johnson | Mr. Schuyler | Mr. Van Rensselaer |
| Mr. Campbell | Mr. King | Mr. Skidmore | Mr. Veeder |
| Mr. Clark | Mr. Moore | Mr. A. Smith | Mr. Waren |
| Mr. Comstock | Mr. E. Mott | Mr. H. Smith | Mr. Wescott 49 |
| Mr. Crocker | | | |

*For the Negative.*

| | | | |
|---|---|---|---|
| Mr. Arcularius | Mr. French | Mr. J. Lansingh | Mr. Robins |
| Mr. Barker | Mr. Furman | Mr. Lott | Mr. Schuneman |
| Mr. Bill | Mr. German | Mr. C. M'Kinstry | Mr. Shurtleff |
| Mr. Burr | Mr. B. Gilbert | Mr. J. M'Kinstry | Mr. Philip Smith |
| Mr. Butler | Mr. Gray | Mr. M'Neil | Mr. Speaker |
| Mr. Clift | Mr. Heermance | Mr. Michean | Mr. Storm |
| Mr. Coe | Mr. Hoag | Mr. Nexen | Mr. Swartwout |
| Mr. Deitz | Mr. Hogeboom | Mr. Pearce | Mr. Teed |
| Mr. Doty | Mr. Hunt | Mr. Philips | Mr. S. Ten Broeck |
| Mr. Fairlie | Mr. Kane | Mr. Prevoft | Mr. Voorhis |
| Mr. Floyd | Mr. Landon | Mr. Reynolds | Mr. Wolfe 46 |
| Mr. Fort | Mr. C. Lansingh | | |

That a motion was made to expunge the words "all monies at interest, secured by mortgages, at the nominal value thereof;" that debates were had, and the question having been put thereon, it passed in the negative. The yeas and nays being called for by Mr. Peck, seconded by Mr. Bill, were as follows, viz.

*For the Negative.*

| | | | |
|---|---|---|---|
| Mr. Abeel | Mr. Crocker | Mr. Landon | Mr. John Smith |
| Mr. Adams | Mr. Cummings | Mr. Moore | Mr. John M. Smith |
| Mr. Adgate | Mr. Deitz | Mr. E. Mott | Mr. Joshua Smith |
| Mr. Adriance | Mr. De Witt | Mr. W. Mott | Mr. Snell |
| Mr. Baldwin | Mr. Dodge | Mr. Ofhorn | Mr. Tabor |
| Mr. Blake | Mr. Gates | Mr. Paine | Mr. Teed |
| Mr. Burling | Mr. German | Mr. Pauling | Mr. P. Ten Broeck |
| Mr. Burt | Mr. E. Gilbert | Mr. Peck | Mr. Thomas |
| Mr. Campbell | Mr. Hall | Mr. Schermerhorn | Mr. Van Benthuysen |
| Mr. Clark | Mr. Honeywell | Mr. Schuneman | Mr. Van Rensselaer |
| Mr. Clift | Mr. Hopkins | Mr. Schuyler | Mr. Veeder |
| Mr. Comstock | Mr. Johnson | Mr. A. Smith | Mr. Waren 51 |
| Mr. Corl | Mr. King | Mr. H. Smith | |

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Mr. Arcularius | Mr. Furman | Mr. Lott | Mr. Root |
| Mr. Barker | Mr. B. Gilbert | Mr. C. M'Kinstry | Mr. Savage |
| Mr. Bill | Mr. Gray | Mr. M'Neil | Mr. Shurtleff |
| Mr. Bruyn | Mr. Heermance | Mr. Michean | Mr. Philip Smith |
| Mr. Burr | Mr. Henry | Mr. Nexen | Mr. Speaker |
| Mr. Butler | Mr. Hoag | Mr. Pearce | Mr. Storm |
| Mr. Coe | Mr. Hogeboom | Mr. Philips | Mr. Swartwout |
| Mr. Fairlie | Mr. Hunt | Mr. Prevoft | Mr. S. Ten Broeck |
| Mr. Floyd | Mr. Kane | Mr. Reynolds | Mr. Voorhis |
| Mr. Fort | Mr. C. Lansingh | Mr. Robins | Mr. Wolfe 46 |
| Mr. French | Mr. J. Lansingh | | |

Mr. Dewey reported further progress, and obtained leave to sit again.

*Resolved*, That this House will, to-morrow, again resolve itself into a committee of the whole House on the said bill.

The order of the day for the House to resolve itself into a committee of the whole House on the bill entitled "An act further to amend the act to regulate highways," is postponed to Saturday next, and the report of the committee on the petition of the children and heirs of Gerrit De Groot, deceased, until to-morrow.

Then the House adjourned until ten o'clock to-morrow morning.

THURSDAY, *ten o'clock, A. M. March 7th*, 1799.

The engrossed bill entitled "An act to authorize the raising a further sum of money for repairing the court-house in the county of Herkimer," was read the third time.

*Resolved*, That the bill do pass.

*Ordered*, That Mr. Tabor and Mr. Teed deliver the bill to the Hon. the Senate and request their concurrence.

The bill entitled "An act further to amend an act entitled "An act for suppressing immorality, passed the 3d day of April, 1798," and the bill entitled "An act relative to putting up pickled fish, and to prevent the setting of nets in certain parts of Hudson's river, and for other purposes," were severally read the second time and committed to a committee of the whole House.

A petition of Cornelius Drake and others, executors of the last will and testament of Reuben Drake, deceased, relative to a location for 200 acres of land in Ulster county, made by the deceased in his life time, was read and referred to the Surveyor-General to report thereon.

A petition of James O'Neil and John O'Neil, aliens, praying to be enabled by law to purchase and hold real estates within this state, was read and referred to Mr. Van Rensselaer, Mr. Wolfe and Mr. John M. Smith.

A petition of William Porter, praying a grant of bounty lands for military services, was read and referred to Mr. Fairlie, Mr. Clift, Mr. Pauling, Mr. Shurtleff, Mr. Hopkins and Mr. Comstock.

A second petition of Samuel Bear, relative to a lot of land in the township of Romulus, in the county of Onondaga, was read and referred to Mr. Richardson, Mr. Paine and Mr. King.

A petition of Philip Sarvant and others, owners of vessels and mariners, using the Hudson's river, praying that a law may be passed relative to vessels at anchor in the night time, was read and referred to Mr. Burling, Mr. Heermance and Mr. Coe.

A petition of certain militia officers in the county of Orange, was read and referred to the members attending this House from the county of Orange.

Mr. Phillips, from the committee appointed for the purpose, brought in, according to order, a bill entitled "An act providing for the election of electors of a President and Vice President of the United States," which was read the first time, and on the question, whether the bill should be ordered a second reading, it was carried in the affirmative. The yeas and nays were called for by Mr. Reynolds, seconded by Mr. Van Rensselaer, and were as follows, viz.

*For the Affirmative.*

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|---|---|---|---|---|
| Mr. Abeel | Mr. De Witt | Mr. Lefevre | Mr. Skidmore | |
| Mr. Adams | Mr. Dodge | Mr. Lott | Mr. A. Smith | |
| Mr. Adgate | Mr. Fairlie | Mr. M'Intyre | Mr. H. Smith | |
| Mr. Adriance | Mr. Floyd | Mr. C. M'Kinstry | Mr. John Smith | |
| Mr. Arcularius | Mr. German | Mr. Micheau | Mr. Joshua Smith | |
| Mr. Barker | Mr. B. Gilbert | Mr. Moore | Mr. Philip Smith | |
| Mr. Bill | Mr. E. Gilbert | Mr. E. Mott | Mr. Snell | |
| Mr. Blake | Mr. Gray | Mr. W. Mott | Mr. Storm | |
| Mr. Boyd | Mr. Hall | Mr. Nexen | Mr. Swart | |
| Mr. Burling | Mr. Heermance | Mr. Ostrom | Mr. Swartwout | |
| Mr. Burr | Mr. Henry | Mr. Paine | Mr. Tabor | |
| Mr. Burt | Mr. Hogeboom | Mr. Peck | Mr. Teed | |
| Mr. Clark | Mr. Honeywell | Mr. Philips | Mr. S. Ten Broeck | |
| Mr. Clift | Mr. Hopkins | Mr. Prevoft | Mr. Thomas | |
| Mr. Coe | Mr. Hunt | Mr. Robins | Mr. Van Benthuysen | |
| Mr. Comstock | Mr. Johnson | Mr. Root | Mr. Veeder | |
| Mr. Corl | Mr. Kane | Mr. Savage | Mr. Waren | |
| Mr. Crocker | Mr. King | Mr. Schermerhorn | Mr. Westcott | |
| Mr. Deitz | Mr. Landon | Mr. Schuneman | Mr. Wolfe | 76 |

*For the Negative.*

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|---|---|---|---|---|
| Mr. Butler | Mr. J. Lansingh | Mr. Reynolds | Mr. John M. Smith | |
| Mr. Fort | Mr. J. M'Kinstry | Mr. Schuyler | Mr. P. Ten Broeck | |
| Mr. Hoag | Mr. Pearce | Mr. Shurtleff | Mr. Van Rensselaer | 13 |
| Mr. C. Lansingh | | | | |

Mr. Boyd from the committee to whom was committed the meſſage of his Ex cellency the Governor of the 11th ult. and the papers accompanying the ſame, re ported a bill entitled "An act eſtabliſhing a commiſſary of military ſtores," which was read the firſt time and ordered a ſecond reading.

Mr. Hopkins from the committee to whom was committed the bill entitled "An act authorizing John Knickerbacker, jun. and others to erect a toll bridge at Schaghtikoke Point, in the county of Renſſelaer," reported, that the committee had gone through the bill, made amendments and agreed to the ſame, which he was directed to report to the Houſe, and he read the report in his place, and delivered the bill in at the table, where the ſame was again read and agreed to by the Houſe.

*Ordered*, That the bill be engroſſed.

Mr. Philip Smith from the committee to whom were referred ſundry petitions from inhabitants of the county of Waſhington, relative to a turnpike road, reported that in the opinion of the committee the object of the petitioners, if carried into effect, will be productive of great public utility; they are therefore induced to believe that the prayer of the petitions ought to be granted, and have prepared a bill for that purpoſe, and directed their chairman to aſk for leave to bring in the ſame. Leave being given, Mr. Philip Smith brought in the ſaid bill entitled "An act to eſtabliſh a turnpike corporation for improving the road from the village of Lanſingburgh, through Cambridge and Salem, to the houſe now occupied by Hezekiah Leaving, in the town of Granville, and alſo from the houſe of John Faulkener, jun. in Salem, to the line of Rupert, near the houſe of William Brown," which was read the firſt time and ordered a ſecond reading.

The Houſe proceeded to the conſideration of the report of the committee to whom were referred ſundry petitions from inhabitants of the towns of Freehold, Catſkill and Coxackie, praying to be erected into a ſeparate county. The ſaid report was again read and debates had thereon: Thereupon,

*Ordered*, That leave be given to bring in a bill for the purpoſes mentioned in the ſaid report.

Mr. Butler, according to leave, brought in the ſaid bill entitled "An act to erect part of the counties of Albany and Ulſter into a ſeparate county by the name of ———," which was read the firſt time and ordered a ſecond reading.

*Ordered*, That Mr. P. Ten Broeck have leave of abſence for the remainder of the ſeſſion.

A meſſage from the Hon. the Senate, delivered by Mr. Sanger and Mr. Savage with the bill therein mentioned, was read, that the Senate have paſſed the bill entitled "An act relative to civil relations of perſons ſentenced to impriſonment for life," to which they requeſt the concurrence of this Houſe. The ſaid bill was read the firſt time and ordered a ſecond reading.

A meſſage from the Hon. the Senate, alſo delivered by Mr. Sanger and Mr. Savage, with the bill and amendments therein mentioned, was read, that the Senate have paſſed the bill entitled "An act to divide the county of Onondaga," with the amendments therewith delivered. The bill and amendments were read, and the amendments having been read the ſecond time, were concurred in by the Houſe and the bill ordered to be amended accordingly.

*Ordered*, That Mr. S. Ten Broeck and Mr. Thomas deliver the bill to the Hon. the Senate, and inform them that this Houſe have concurred in their amendments to the ſaid bill, and have amended the ſame accordingly.

Mr. Swartwout from the committee to whom were referred the petitions of James M'Gourk, and William Adams, with inſtructions to report what proviſion and relief, if any, ought to be made or given to the ſaid James M'Gourk and William Adams and all perſons in ſimilar ſituations, reported, That on examining the early proceedings of the commiſſioners of the land-office, they find that the conſtruction of the ſeveral reſolutions of this ſtate granting gratuity of bounty lands by the commiſſioners of the land-office, is in favour of the validity of titles granted to ſoldiers who were entitled to ſerve during the war, and would have received bounty lands but died or were killed in the ſervice, and as the committee are of opinion that the Legiſlature is not the proper tribunal to hear and determine individual teſtimony relative to inveſtigating titles, and as great miſchief and injuſtice might be done

e Legiſlature ſhould confirm the titles of the ſaid petitioners; they are therefore opinion, that a law explanatory of the ſeveral intentions of the Senate and Aſ- mbly of this ſtate granting bounty lands to ſoldiers for military ſervices, ought to paſſed, and have prepared a bill for that purpoſe and directed their chairman aſk for leave to bring in the ſame. Leave being given, Mr. Swartwout brought the ſaid bill entitled "An act to explain the ſeveral reſolutions of the Senate d Aſſembly of this ſtate relative to the perſons entitled to land for military ſer- ces," which was read the firſt time and ordered a ſecond reading.

Mr. Clift from the committee to whom was referred the petition of David Hic- k, reported, That in their opinion the facts ſet forth in the petition are true; that e petitioner has an equitable claim on the ſtate as appears by a note given him the 14th day of December, 1780, by Hendrick Wyckoff, deceaſed, who then ted as agent for this ſtate, for the ſum of 3,635 dollars continental money.

The committee, from the known character of the petitioner, have no reaſon to oubt that the articles ſet forth in the petition were actually furniſhed by him for e uſe of this ſtate, and the only reaſon why he has not received his pay is be- auſe his note was actually miſlaid until the time for the ſettlement was paſſed, as ppears by the depoſition of Gen. Samuel Auguſtus Barker. The committee are herefore of opinion, that the petitioner is entitled to relief, and have prepared a ill for that purpoſe and directed their chairman to aſk for leave to bring in the me. Leave being given, Mr. Clift brought in the ſaid bill entitled "An act for e relief of David Hickok," which was read the firſt time and ordered a ſecond eading.

Mr. Fairlie from the committee to whom were referred the ſeveral petitions of ames Jordan, Jeſſe Miller, William Mead, John Keeſe, and Catharine Tillinghaſt, everally praying grants of bounty lands for military ſervices, reported, That the ommittee have conſidered the ſaid petitions ſeverally together with the papers ac- ompanying the ſame reſpectively, and have examined the laws of this ſtate rela- ive to bounty lands, and do not find that either of the ſaid petitioners are entitled o bounty lands from this ſtate, and the committee are of opinion that it would not e proper to grant the prayer of either of the ſaid petitions, and that the petition- rs have leave to withdraw the ſame.

*Ordered*, That the conſideration thereof be poſtponed.

A motion was made that the Houſe ſhould reconſider their determination made eſterday on the petition of the truſtees of the Florida library, and the queſtion aving been put thereon, it was carried in the affirmative.

A motion was then made that the ſaid petition ſhould be referred to a committee conſiſting of three members, which was alſo carried in the affirmative: thereupon,

*Ordered*, That the ſaid petition be referred to Mr. Burr, Mr. Pauling and Mr. Paine.

*Reſolved*, That this Houſe will to-morrow reſolve itſelf into a committee of the whole Houſe on the bill entitled "An act relative to the Oneida Indians."

Mr. Bruyn from the committee to whom was referred the petition of Samuel Hull, reported, That they have carefully examined the petition and are of opinion the facts ſtated therein are true; that the petitioner engaged in the ſervice of the United States as early as the year 1775, and that he was wounded in an action at Point Le Roy below Quebec in 1776, is true, as one of the committee was witneſs to the action, for which wound he now receives a penſion from the United States. That he again enliſted in one of the five continental regiments raiſed by this ſtate, in the ſervice of the United States in the year 1777, and was employed as a recruit- ing ſerjeant, is alſo true, as one of the committee who was then in ſervice enliſted him, and the committee have reaſon to believe the petitioner was taken priſoner when on recruiting ſervice, by a party of the Britiſh army on the 15th day of Jan- uary, 1779, and remained a priſoner until the cloſe of the war.

The committee cannot find that the petitioner has ever received any compenſa- tion for his ſervices ſince the 30th December, 1778; they are therefore of opinion the petitioner is entitled to relief. They ſubmit the propriety of the petitioner's claim at this late hour to the ſtate, and requeſt the opinion of the Houſe thereon.

*Ordered*, That the conſideration of the ſaid report be poſtponed.

Mr. Dewey from the committee of the whole Houſe on the bill entitled "An a for the aſſeſſment and collection of taxes," reported further progreſs and obtain leave to ſit again.

*Reſolved*, That this Houſe will to-morrow again reſolve itſelf into a commit of the whole Houſe on the ſaid bill.

Then the Houſe adjourned until ten o'clock to-morrow morning.

FRIDAY, *ten o'clock, A. M. March 8th*, 1799.

The engroſſed bill entitled "An act authorizing John Knickerbacker, jun. a others to build a toll-bridge at Scaghtikoke Point, in the county of Renſſelaer," w read the third time.

*Reſolved*, That the bill do paſs.

The engroſſed bill entitled "An act to amend an act entitled "An act to eſta liſh a turnpike corporation from the ſprings in Lebanon to the city of Albany," w read the third time.

*Reſolved*, That the bill do paſs.

*Ordered*, That Mr. Van Benthuyſen and Mr. Van Renſſelaer deliver the two la mentioned bills to the Hon. the Senate, and requeſt their concurrence.

The bill entitled "An act eſtabliſhing a commiſſary of military ſtores," the bi entitled "An act to erect part of the county of Albany and Ulſter into a ſepara county by the name of ———," the bill entitled "An act relative to civil relatio of perſons ſentenced to impriſonment for life," the bill entitled "An act for the re lief of David Hickok," the bill entitled "An act to explain the ſeveral reſolution of the Senate and Aſſembly of this ſtate relative to the perſons entitled to lands fo military ſervices," and the bill entitled "An act providing for the election of elec tors of a Preſident and Vice Preſident of the United States," were ſeverally read th ſecond time and committed to a committee of the whole Houſe.

The bill entitled "An act to eſtabliſh a turnpike corporation for improving th road from the village of Lanſingburgh, through Cambrige and Salem, to the hou now occupied by Hezekiah Leaving, in the town of Granville, and alſo from th houſe of John Faulkner, jun. in Salem, to the line of Rupert, near the houſe o William Brown," was read the ſecond time and committed to the members attend ing this Houſe from the counties of Waſhington and Renſſelaer.

A petition of John Suffern and others, inhabitants of the county of Rockland relative to the courts of common pleas in ſaid county, was read and referred to th members attending this Houſe from the counties of Orange and Rockland.

A petition of John Avery and others, watchmen in the city of New-York, praying to be exempted by law from ſerving as jurors and in the militia while acting a watchmen, was read and referred to the members attending this Houſe from th city and county of New-York.

A petition of Edward Shephard and others, relative to a turnpike road from Lan ſingburgh to Vermont, was read and referred to the ſelect committee to whom the bill relative to ſaid road was this day committed.

A petition of John Johnſton, praying a grant of bounty lands for military ſer vices, was read and referred to Mr. C. M'Kinſtry, Mr. Philips and Mr. B. Gilbert.

Sundry petitions from inhabitants of the town of Coxſackie, relative to the erec tion of a new county, were read and committed to the committee of the whole Houſe when on the bill entitled "An act to erect part of the counties of Albany and Ulſter into a ſeparate county by the name of ———."

Mr. French from the committee to whom was referred the petition of the truſtees of Fort-Hunter Bridge, reported, that from the information which they have been able to procure, it appears that the Fort-Hunter Bridge is conſiderably out of re pair, and that the truſtees have expended the ſum of ſix hundred and fifty dollars in erecting ſaid bridge, over and above the ſums ſubſcribed by certain individuals, and two thouſand dollars granted them by the Legiſlature out of the monies ariſing from the ſtate road lottery, as ſet forth in their petition, and as the committee con ceive ſaid bridge to be of greater utility and public advantage than almoſt any other in this ſtate, they are of opinion that ſome Legiſlative proviſion ought to be made for ſupporting the ſame, and alſo for the diſcharge and payment of the ſaid ſix hundred and fifty dollars due to the truſtees, and have accordingly prepared a

bill for that purpoſe and directed their chairman to aſk for leave to bring in the ſame. Leave being given, Mr. French brought in the ſaid bill entitled "An act making proviſion to keep in repair the bridge over Schoharie creek, at Fort-Hunter, in the county of Montgomery," which was read the firſt time and ordered a ſecond reading.

Mr. Peck from the ſelect committee to whom was committed the bill entitled "An act to aboliſh impriſonment for debts contracted after the 4th day of July, 1799," reported, that the committee had gone through the bill, made amendments and added clauſes, which he was directed to report to the Houſe, and he read the report in his place and delivered the bill, amendments and clauſes in at the table, where they were again read; thereupon,

*Ordered*, That the ſaid bill be recommitted to a committee of the whole Houſe.

*Reſolved*, That this Houſe will on Wednesday next reſolve itſelf into a committee of the whole Houſe on the ſaid bill.

Mr. Root purſuant to notice by him for that purpoſe heretofore given, moved for and obtained leave to bring in a bill entitled "An act relative to the county of Delaware," which was read the firſt time and ordered a ſecond reading.

Mr. Butler from the committee of the whole Houſe on the bill entitled "An act relative to the Oneida Indians," reported, that the committee had gone through the bill and agreed to the ſame without amendment, which he was directed to report to the Houſe, and he read the report in his place, and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

By unanimous conſent the ſaid bill was read the third time.

*Reſolved*, That the bill do paſs.

*Ordered*, That Mr. Van Benthuyſen and Mr. Van Renſſelaer deliver the bill to the Hon. the Senate, and inform them this Houſe have paſſed the ſame without amendment.

Mr. Fairlie from the committee to whom was referred the petition of William Lighthall, reported, that they have conſidered the ſaid petition together with the documents accompanying the ſame, and are of opinion that the prayer thereof ought to be granted; that they have prepared a bill for the purpoſe and directed him to aſk for leave to bring in the ſame. Leave being given, Mr. Fairlie brought in the ſaid bill entitled "An act for the relief of William Lighthall," which was read the firſt time and ordered a ſecond reading.

Mr. King from the committee to whom was referred the petition of Samuel Bear, reported, That the committee have examined the petition and two ſeveral documents from the Secretary's office, relating to the ſubject; one of theſe contains an abſtract from the covenant made with the Cayugas in the year 1789, in which they reſerve among other things a tract on the ſouth ſide of the Seneca river over againſt the place called Skayes; the other is a certificate by which it appears that lot No. 4, in Romulus is reſerved to the ſtate or unſold. The committee are of opinion that the ſtatement of facts made in the petition is juſt, and that the prayer of the petitioner ought to be granted; they have accordingly prepared a clauſe for that purpoſe, which is herewith reported, and which they recommend to be added to the bill entitled "An act for the relief of John G. Houſe and Iſaac Rapalja."

*Ordered*, That leave be given to bring in the ſaid clauſe.

*Ordered*, That the committee of the whole Houſe be diſcharged from the further conſideration of the bill entitled "An act to erect a town in Clinton county," and that the ſame be committed to Mr. Adgate, Mr. Philip Smith and Mr. Crocker.

The Hon. the Senate returned, by Mr. Silveſter and Mr. Spencer, the bill entitled "An act to divide the county of Onondaga."

*Ordered*, That Mr. Thomas and Mr. Van Benthuyſen deliver the bill to the Hon. the Council of Reviſion.

Two ſeveral meſſages from the Hon. the Senate, delivered by Mr. Savage and Mr. J. Schenck, with the bills therein reſpectively mentioned, were read, that the Senate have paſſed the bill entitled "An act for the relief of James Bloodgood," and the bill entitled "An act altering the times of holding the courts of common pleas and general ſeſſions of the peace in certain counties therein mentioned, and relative to the circuit court in the county of Renſſelaer," and requeſting the concurrence of this

Houſe to the ſaid bills reſpectively. The ſaid bills were reſpectively read the firſt time and ordered a ſecond reading.

A meſſage from the Hon. the Council of Reviſion, delivered by the Hon. Chief Juſtice Lanſing, was read, that it does not appear improper to the Council that the bill entitled "An act to divide the county of Onondaga," ſhould become a law of this ſtate.

Mr. Dewey from the committee of the whole Houſe on the bill entitled "An act for the aſſeſſment and collection of taxes," reported, that in proceeding in the ſaid bill, a motion was made by Mr. W. Mott to expunge the words "*that each and every perſon who followeth any mechanical art or myſtery, ſuch as blackſmiths, goldſmiths, ſilverſmiths, tanners, and every other handicraft, ſhall be ſet down at leaſt at the ſum of dollars, and more at the diſcretion of the aſſeſſors,*" in the third enacting clauſe; that debates aroſe, and the queſtion having been put thereon, it paſſed in the negative; that the yeas and nays being called for by Mr. W. Mott, ſeconded by Mr. Savage, were as follows, viz.

*For the Negative.*

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|---|---|---|---|
| Mr. Abeel | Mr. Dodge | Mr. Kane | Mr. John Smith |
| Mr. Adgate | Mr. Floyd | Mr. Landon | Mr. John M. Smith |
| Mr. Barker | Mr. Fort | Mr. C. Lanſingh | Mr. Joſhua Smith |
| Mr. Bill | Mr. French | Mr. M'Intye | Mr. Philip Smith |
| Mr. Boyd | Mr. Furman | Mr. J. M'Kinſtry | Mr. Speaker |
| Mr. Bruyn | Mr. Gates | Mr. Micheau | Mr. Storm |
| Mr. Burr | Mr. German | Mr. Oſtrom | Mr. Tabor |
| Mr. Burt | Mr. B. Gilbert | Mr. Paine | Mr. Teed |
| Mr. Clark | Mr. Gray | Mr. Pauling | Mr. S. Ten Broeck |
| Mr. Clift | Mr. Hall | Mr. Pearce | Mr. Van Benthuyſen |
| Mr. Coe | Mr. Heermance | Mr. Peck | Mr. Van Renſelaer |
| Mr. Crocker | Mr. Hoag | Mr. Prevoſt | Mr. Voorhis |
| Mr. Cummings | Mr. Hunt | Mr. Root | Mr. Weſtcott |
| Mr. Deitz | Mr. Johnſon | | |

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Mr. Adams | Mr. Henry | Mr. Moore | Mr. Shurtleff |
| Mr. Adriance | Mr. Hogeboom | Mr. E. Mott | Mr. Skidmore |
| Mr. Arcularius | Mr. Honeywell | Mr. W. Mott | Mr. A. Smith |
| Mr. Baldwin | Mr. Hopkins | Mr. Nexen | Mr. H. Smith |
| Mr. Blake | Mr. King | Mr. Philips | Mr. Snell |
| Mr. Burling | Mr. J. Lanſingh | Mr. Robins | Mr. Swartwout |
| Mr. Comſtock | Mr. Lefevre | Mr. Savage | Mr. Thomas |
| Mr. De Witt | Mr. Lott | Mr. Schermerhorn | Mr. Veeder |
| Mr. Doty | Mr. C. M'Kinſtry | Mr. Schuneman | Mr. Waren |
| Mr. Fairlie | Mr. M'Neil | Mr. Schuyler | Mr. Wolfe |

That a motion was then made to expunge from the ſaid clauſe the words, "*all money at intereſt ſecured by bonds, notes or mortgages, at the nominal value thereof; each trader or ſtore-keeper whatſoever (the loweſt claſs) at dollars, and all others in due proportion, at the diſcretion of the aſſeſſors; each attorney or counſellor at law (the leaſt practitioner) at dollars, and larger practitioners higher in proportion; each phyſician or ſurgeon (the leaſt practitioner) at dollars, and others in proportion, at the diſcretion of the aſſeſſors; that all river and coaſting veſſels ſhall be ſet in the liſt at twenty dollars for every ton of their burthen; that each and every perſon who followeth any mechanical art or myſtery, ſuch as blackſmiths, goldſmiths, ſilverſmiths, tanners, and every other handicraft, ſhall be ſet down at dollars, and more at the diſcretion of the aſſeſſors,*" for the purpoſe of inſerting in lieu thereof, "*all other property not enumerated ſhall be ſet down at the diſcretion of the aſſeſſors;* that the queſtion having been put thereon, it paſſed in the negative; that the yeas and nays being called for by Mr. Peck, ſeconded by Mr. Van Benthuyſen, were as follows, viz.

*For the Negative.*

| | | | |
|---|---|---|---|
| Adams | Mr. Fort | Mr. Micheau | Mr. John M. Smith |
| Arcularius | Mr. French | Mr. W. Mott | Mr. Philip Smith |
| Baldwin | Mr. Gates | Mr. Nexen | Mr. Snell |
| Barker | Mr. B. Gilbert | Mr. Oſtrom | Mr. Tabor |
| Bill | Mr. Gray | Mr. Paine | Mr. Teed |
| Blake | Mr. Half | Mr. Pauling | Mr. S. Ten Broeck |
| Clark | Mr. Henry | Mr. Pearce | Mr. Thomas |
| Clift | Mr. Hoag | Mr. Peck | Mr. Van Benthuyſen |
| Coe | Mr. Hopkins | Mr. Philips | Mr. Van Renſſelaer |
| Comſtock | Mr. Kane | Mr. Prevoſt | Mr. Veeder |
| Cummings | Mr. King | Mr. Root | Mr. Voorhis |
| Deitz | Mr. Lott | Mr. Savage | Mr. Waren |
| Dodge | Mr. M'Intyre | Mr. Schuyler | Mr. Weſtcott |
| Doty | Mr. C. M'Kinſtry | Mr. Skidmore | Mr. Wolfe 59 |
| Fairlie | Mr. J. M'Kinſtry | Mr. A. Smith | |

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Abeel | Mr. Floyd | Mr. C. Lanſingh | Mr. Schuneman |
| Adgate | Mr. Furman | Mr. J. Lanſingh | Mr. Shurtleff |
| Adriance | Mr. German | Mr. Lefevre | Mr. H. Smith |
| Boyd | Mr. Heermance | Mr. M'Neil | Mr. John Smith |
| Bruyn | Mr. Hogeboom | Mr. Moore | Mr. Joſhua Smith |
| Burling | Mr. Honeywell | Mr. E. Mott | Mr. Speaker |
| Burr | Mr. Hunt | Mr. Robins | Mr. Storm |
| Burt | Mr. Johnſon | Mr. Schermerhorn | Mr. Swartwout 34 |
| De Witt | Mr. Landon | | |

hat a motion was made by Mr. Comſtock to inſert in the ſaid clauſe the words ſtock in trade;" and the queſtion having been put thereon, it alſo paſſed in the tive; that the yeas and nays being called for by Mr. Comſtock, ſeconded by Bill, were as follows, viz.

*For the Negative.*

| | | | |
|---|---|---|---|
| Abeel | Mr. Fairlie | Mr. Landon | Mr. Root |
| Adgate | Mr. Floyd | Mr. C. Lanſingh | Mr. Savage |
| Arcularius | Mr. Fort | Mr. Lefevre | Mr. Schermerhorn |
| Baldwin | Mr. French | Mr. Lott | Mr. Shurtleff |
| Barker | Mr. Furman | Mr. M'Intyre | Mr. Skidmore |
| Bill | Mr. B. Gilbert | Mr. C. M'Kinſtry | Mr. H. Smith |
| Boyd | Mr. E. Gilbert | Mr. J. M'Kinſtry | Mr. John M. Smith |
| Bruyn | Mr. Gray | Mr. M'Neil | Mr. Joſhua Smith |
| Burling | Mr. Henry | Mr. Micheau | Mr. Philip Smith |
| Burr | Mr. Hoag | Mr. Nexen | Mr. Speaker |
| Burt | Mr. Hogeboom | Mr. Oſtrom | Mr. Storm |
| Butler | Mr. Honeywell | Mr. Paine | Mr. Swartwout |
| Clift | Mr. Hopkins | Mr. Pearce | Mr. Teed |
| Coe | Mr. Hunt | Mr. Peck | Mr. Thomas |
| Cummings | Mr. Johnſon | Mr. Philips | Mr. Van Renſſelaer |
| Deitz | Mr. Kane | Mr. Prevoſt | Mr. Voorhis |
| Dodge | Mr. King | Mr. Robins | Mr. Wolfe 69 |
| Doty | | | |

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Adams | Mr. Gates | Mr. Pauling | Mr. S Ten Broeck |
| Adriance | Mr. German | Mr. A. Smith | Mr. Van Benthuyſen |
| Clark | Mr. E. Mott | Mr. John Smith | Mr. Veeder |
| Comſtock | Mr. W. Mott | Mr. Snell | Mr. Waren 17 |
| De Witt | | | |

hat a motion was then made by Mr. Comſtock to inſert in the ſaid clauſe the ds "all money on hand, including money depoſited with agents, or in any k;" that the queſtion having been put thereon, it alſo paſſed in the negative; the yeas and nays being called for by Mr. Comſtock, ſeconded by Mr. Adriance, e as follows, viz.

*For the Negative.*

| | | | |
|---|---|---|---|
| Mr. Arcularius | Mr. Fairlie | Mr. King | Mr. Root |
| Mr. Baldwin | Mr. Floyd | Mr. Landon | Mr. Savage |
| Mr. Barker | Mr. French | Mr. C. Lanſingh | Mr. Schermerhorn |
| Mr. Bill | Mr. Furman | Mr. Lott | Mr. Shurtleff |
| Mr. Boyd | Mr. B. Gilbert | Mr. M'Intyre | Mr. Skidmore |
| Mr. Bruyn | Mr. Gray | Mr. J. M'Kinſtry | Mr. John M. Smith |
| Mr. Burling | Mr. Heermance | Mr. M'Neil | Mr. Speaker |
| Mr. Burr | Mr. Henry | Mr. Micheau | Mr. Storm |
| Mr. Burt | Mr. Hoag | Mr. Oſtrom | Mr. Swartwout |
| Mr. Butler | Mr. Hogeboom | Mr. Pearce | Mr. Teed |
| Mr. Clift | Mr. Honeywell | Mr. Peck | Mr. Thomas |
| Mr. Coe | Mr. Hunt | Mr. Philips | Mr. Van Renſſelaer |
| Mr. Cummings | Mr. Johnſon | Mr. Prevoſt | Mr. Voorhis |
| Mr. Deitz | Mr. Kane | Mr. Robins | Mr. Wolfe |
| Mr. Dodge | | | |

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Mr. Abeel | Mr. De Witt | Mr. E. Mott | Mr. Joſhua Smith |
| Mr. Adams | Mr. Doty | Mr. W. Mott | Mr. Philip Smith |
| Mr. Adgate | Mr. Fort | Mr. Paine | Mr. Tabor |
| Mr. Adriance | Mr. Gates | Mr. Pauling | Mr. S. Ten Broeck |
| Mr. Blake | Mr. German | Mr. Schuneman | Mr. Van Benthuyſen |
| Mr. Clark | Mr. E. Gilbert | Mr. A. Smith | Mr. Veeder |
| Mr. Comſtock | Mr. Hopkins | Mr. H. Smith | Mr. Waren |
| Mr. Corl | Mr. C. M'Kinſtry | Mr. John Smith | Mr. Weſtcott |
| Mr. Crocker | Mr. Moore | | |

That a motion was then made to inſert in the ſaid clauſe the words "*each cler the ſupreme court, or of the court of common pleas, and all ſalary officers at the cretion of the aſſeſſors;*" that the queſtion having been put thereon, it was car in the affirmative; that the yeas and nays being called for by Mr. Root, secon by Mr. S. Ten Broeck, were as follows, viz.

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Mr. Abeel | Mr. De Witt | Mr. M'Intyre | Mr. John Smith |
| Mr. Adams | Mr. Dodge | Mr. C. M'Kinſtry | Mr. Joshua Smith |
| Mr. Adriance | Mr. Floyd | Mr. Moore | Mr. Snell |
| Mr. Baldwin | Mr. Fort | Mr. W. Mott | Mr. Tabor |
| Mr. Blake | Mr. Gates | Mr. Pauling | Mr. Teed |
| Mr. Boyd | Mr. German | Mr. Pearce | Mr. S. Ten Broeck |
| Mr. Bruyn | Mr. B. Gilbert | Mr. Peck | Mr. Thomas |
| Mr. Burling | Mr. E. Gilbert | Mr. Root | Mr. Van Benthuyſen |
| Mr. Burt | Mr. Hogeboom | Mr. Savage | Mr. Veeder |
| Mr. Clark | Mr. Hopkins | Mr. Schuneman | Mr. Voorhis |
| Mr. Clift | Mr. Johnſon | Mr. Skidmore | Mr. Waren |
| Mr. Corl | Mr. Landon | Mr. A. Smith | Mr. Weſtcott |
| Mr. Deitz | Mr. Lefevre | | |

*For the Negative.*

| | | | |
|---|---|---|---|
| Mr. Arcularius | Mr. Gray | Mr. M'Neil | Mr. Shurtleff |
| Mr. Barker | Mr. Heermance | Mr. Micheau | Mr. John M. Smith |
| Mr. Bill | Mr. Henry | Mr. E. Mott | Mr. Philip Smith |
| Mr. Burr | Mr. Hoag | Mr. Oſtrom | Mr. Speaker |
| Mr. Butler | Mr. Hunt | Mr. Paine | Mr. Storm |
| Mr. Coe | Mr. Kane | Mr. Philips | Mr. Swartwout |
| Mr. Crocker | Mr. King | Mr. Prevoſt | Mr. Van Renſſelaer |
| Mr. French | Mr. J. M'Kinſtry | Mr. Robins | Mr. Wolfe |
| Mr. Furman | | | |

Mr. Dewey reported further progroſs and obtained leave to ſit again.

*Reſolved*, That this Houſe will, to-morrow, again reſolve itſelf into a commi of the whole Houſe on the ſaid bill.

Then the Houſe adjourned until ten o'clock to-morrow morning.

SATURDAY, *ten o'clock, A. M. March 9th*, 1799.

The bill entitled "An act to amend the act entitled "An act to aſcertain weig and meaſures within this ſtate," with the engroſſed amendments was read the th time.

*Reſolved*, That the bill do paſs.

*Ordered*, That Mr. Van Renſſelaer and Mr. Veeder deliver the bill with amendments to the Hon. the Senate and inform them that this Houſe have pa the ſaid bill with the amendments therewith delivered.

The bill entitled "An act for the relief of James Bloodgood," the bill entit "An act for the relief of William Lighthall," the bill entitled "An act altering

es of holding the courts of common pleas and general ſeſſions of the peace in certain counties therein mentioned and relative to the circuit court in the county of Renſſelaer," and the bill entitled "An act making proviſion to keep in repair the bridge over Schohary creek at Fort Hunter in the county of Montgomery," were ſeverally read the ſecond time and committed to a committee of the whole Houſe.

The bill entitled "An act relative to the county of Delaware," was read the ſecond time and committed to Mr. Root, Mr. Butler and Mr. French.

A petition of Aſahel Strong and Joſeph Beach, praying grants of vacant lands in the county of Clinton, was read and referred to Mr. Hopkins, Mr. Adgate and Mr. Gates.

A petition of Anne Claus, widow of Daniel Claus, deceaſed, whoſe eſtate became forfeited to the people of this ſtate, relative to her dower in the ſaid eſtate, was read and committed to a committee of the whole Houſe when on the bill entitled "An act for the relief of James Bloodgood."

The Attorney-General to whom was referred the ſeveral petitions of James Pine, and of John Brown, John Guion and Bartholomew Hadden, truſtees for the creditors of Thomas Merrit, reported, That the firſt of the ſaid petitions ſubſtantially ſtates, that the eſtate of Thomas Merrit was forfeited to the people of this ſtate; that the petitioner located a certain farm, the property of the ſaid Thomas Merrit, ſituate in the county of Weſtcheſter, containing 103 acres; that 50 acres, part thereof, had been *previouſly* mortgaged to Samuel Brown and Ebenezer Brown, for the purpoſe of indemnifying them as the ſureties of the ſaid Thomas Merrit in a certain bond executed *by them* jointly with him to Daniel Coles, conditioned for the payment of 200l. with lawful intereſt; that 53 acres of the aforeſaid land, not incumbered as aforeſaid, hath been duly conveyed by the commiſſioners of forfeitures for the ſouthern diſtrict to the petitioner, and that the equity of redemption for the remaining 50 acres was appraiſed at five pounds; that he hath paid the amount due on the bond to the ſaid Daniel Coles, and afterwards obtained an aſſignment of the mortgage, executed as aforeſaid by Thomas Merrit to Samuel Brown and Ebenezer Brown, and that at the time of ſuch aſſignment, the value of the mortgaged premiſes was not equal to the ſum due on the bond executed to Daniel Coles, and on which a judgment had been obtained in behalf of the petitioner againſt the executors of Ebenezer Brown, and the object of the petition is to obtain from the ſtate a releaſe of the equity of redemption of the ſaid mortgage. The petition of John Brown, John Guion and Bartholomew Hadden denies that James Pine ever purchaſed or *agreed* to purchaſe the 50 acres of land ſo mortgaged, but alledges that he entered into the poſſeſſion of the whole of the ſaid farm, and that he afterwards agreed with Samuel Brown, one of the co-obligors aforeſaid, in conſideration of an aſſignment to be made to him of the ſaid mortgage, to ſatisfy the bond due to Daniel Coles, and alſo to pay a debt owing from the ſaid Thomas Merrit to one Jabez Sherwood, and for the payment of which the ſaid Samuel Brown was alſo ſecurity; that although the bond due to Daniel Coles was paid by the ſaid James Pine, yet that he hath wholly refuſed to ſatisfy the debt owing to Jabez Sherwood; that the value of the ſaid 50 acres of land is at the rate of 30 dollars an acre; that at the time of the aſſignment of the mortgage aforeſaid *to him*, the repreſentative of Ebenezer Brown, who was one of the co-obligors and ſecurity as aforeſaid for Thomas Merrit, paid to James Pine, on account of the ſaid bond, 70l. The truſtees charge in their ſaid petition, that upon a fair ſtatement of accounts with the ſaid James Pine relative to the premiſes, and after allowing to him in ſuch account the balance to which he is juſtly entitled, the value of the equity of redemption of the aforeſaid 50 acres of land will leave an overplus ſufficient to ſatisfy all the juſt debts now owing by the ſaid Thomas Merrit; and they therefore pray, that the right of the people of this ſtate in the ſaid mortgaged premiſes, may be granted to them, to the end, that the ſaid debts may be diſcharged, and the ſurplus, if any, paid by them into the treaſury of this ſtate.

The time limited for exhibiting demands againſt forfeited eſtates has long ſince expired. Under *ſpecial circumſtanves* the Legiſlature have occaſionally diſpenſed with this limitation; no *ſuch circumſtances* appear to exiſt in the preſent caſe, and the truſtees muſt be conſidered in the place of the creditors, who have neglected to

avail themſelves of the law, by not exhibiting their demands againſt the forfeited eſtate of Thomas Merrit within the period preſcribed. It is alſo to be remarked, that this proviſion, for the payment of ſuch demands, never extended to creditors *who were not citizens of this ſtate*, and that the Legiſlature have invariably refuſed all relief to creditors of *that* deſcription. From the petition it appears that one of the creditors of Thomas Merrit reſides in the ſtate of Connecticut; others may be in the ſame ſituation; no evidence to the contrary is offered, nor is the nature of the demands diſcloſed. By granting the propoſed relief, *ſuch* creditors may indirectly derive a benefit contrary to the uniform ſenſe of the Legiſlature on queſtions of the like nature. Admitting, therefore, the value of the premiſes ſufficient for the purpoſes ſtated in this petition, the benefit therefore ought, in the firſt inſtance, to accrue to the people of the ſtate, and the amount of ſuch value be paid into the Treaſury: it will always thereafter be in the power of the Legiſlature to grant ſuch relief to creditors, *under ſpecial circumſtances*, as the juſtice and nature of their caſe may require. For theſe reaſons, in the opinion of the Attorney-General, the prayer of the petition of the ſaid truſtees ought not to be granted.

The various documents ſubmitted with theſe petitions, relative to the claim of James Pine, appear, in many reſpects, contradictory, particularly as to the *real value* of the equity of redemption; and it is difficult to aſcertain from them a true ſtatement of facts. They have been examined with care by the Attorney-General, and the following concluſions appear to him neceſſarily to reſult:

1ſt. That the ſaid James Pine did locate the whole of the farm of Thomas Merrit, containing 103 acres of land, 50 acres of which were at that time ſubject to the mortgage, as is above ſet forth.

2d. That James Pine *never* purſued his location of the ſaid 50 acres, and *wholly* neglected to have the equity of redemption of the aforeſaid mortgage appraiſed, to pay the value thereof, and to apply to the commiſſioners of forfeitures for a conveyance of the ſame. He alledges in his petition, that the ſaid equity of redemption was appraiſed at five pounds, but the document in ſupport of this aſſertion is of a nature undeſerving of *any* credit.

3d. That the ſaid James Pine hath ſatisfied the debt ſecured by the above mentioned mortgage, which is to be conſidered as a lien on the ſaid 50 acres of land, though only to ſuch an amont, as queſtions of this nature are ſettled on principles familiar in the practices of a court of chancery.

From the foregoing premiſes it follows that the title of the ſaid 50 acres of land is veſted in the people of this ſtate, ſubject to the payment or diſcharge of the balance *equitably* due to the ſaid James Pine, by reaſon of the aſſignment of the mortgage aforeſaid; and, in the opinion of the Attorney-General, he is not entitled to a grant of the right of the people of this ſtate in and to the ſaid mortgaged premiſes, on the payment of the ſum of 5l. the ſuppoſed appraiſed value, as ſtated in his petition.

The equity of redemption being in the ſtate, the ſame can be directed to be ſold, and the proceeds thereof paid into the treaſury; but as the ſaid James Pine is in poſſeſſion of the premiſes, under colour of legal title, and probably has made ſome improvements thereon, perhaps it would beſt conſiſt with the liberality of the Legiſlature to confer on him the preference of ſuch purchaſe; in ſuch caſe it would be adviſeable that the equity of redemption be appraiſed under the direction of the Surveyor-General, firſt aſcertaining the *equitable* amount due by reaſon of the lien aforeſaid, and on the payment of the ſaid appraiſed value to the Treaſurer by the ſaid James Pine, that the Surveyor-General be authorized to execute to him a conveyance thereof in the name of the people of this ſtate.

All which is reſpectfully ſubmitted.

JOS. OGDEN HOFFMAN, Attorney-General.

*Albany, March 7, 1799.*

*Reſolved*, That this Houſe do concur with the Attorney-General in ſo much of his ſaid report as reſpects the prayer of the petition of the ſaid truſtees; and

*Ordered*, That ſo much of the ſaid report as reſpects granting relief to the ſaid James Pine, be referred to Mr. Prevoſt, Mr. A. Smithand Mr. Root.

The Attorney-General to whom was referred the petition of Margaret Low, reported, That the petitioner claims compenſation for her right of dower in the

ds whereof her husband, Isaac Low, was seized in the middle and western dis-
cts of this state, and which were forfeited by his attainder to the people of this
te: she states that the proceeds of the said lands paid into the treasury amount
10,789l. 6s. 10d. and she alledges that by reason of the destruction of the books
pt by the commissioners of forfeitures for the western district, and by other un-
oidable accidents she is unable to ascertain the present situation and value of the
d lands, and she is willing to accept a due proportion of the money received by
e state and to execute a release of all her dower in any of the said lands. Ap-
ications of this nature have hitherto been invariably rejected by the Legislature,
d it has been deemed consistent with the policy and justice of the state to confine
aimants in the situation of the petitioner to *strict* and *legal* proof of their respective
ghts: on such proof being produced to the Attorney-General, it is his duty in
ursuance of concurrent resolutions of the Hon. the Senate and the House of As-
mbly of the 3d and 4th of April, 1792, to report the same to the Legislature, with
e value of such right of dower, on the principles prescribed in and by the said
esolutions.

If the destruction of the books of the commissioners of forfeitures could defeat
he legal right of the petitioner, her claim for compensation in the mode proposed,
ould be greatly strengthened, inasmuch as those books were in the safe keeping of
ublic officers, and she ought not to suffer by their inattention, or from any acci-
ent not in her power to prevent: but her right to recover depends on testimony
ot essentially connected with the proceedings of the commissioners of forfeitures.
t is therefore in the opinion of the Attorney-General, inexpedient to grant the
prayer of the petition. All which is respectfully submitted.

JOS. OGDEN HOFFMAN, Attorney-General.

*Albany, 8th March*, 1799.

*Resolved*, That this House do concur with the Attorney-General in his said re-
port.

Mr. J. Lansingh from the committee to whom was referred the petition of George Merchant, reported, that they have examined the facts stated in his petition, and find that they are well founded, and are therefore of opinion that the petitioner is entitled to relief from the Legislature, and have directed their chairman to ask for leave to bring in a bill to compensate him for the damage by him sustained. Leave being given, Mr. Lansingh brought in the said bill entitled "An act for the relief of George Merchant," which was read the first time and ordered a second reading.

Mr. Voorhis from the committee to whom was committed the petition of John J. Klock, and the report of the Comptroller thereon, reported, that in the opinion of the committee the petitioner is entitled to relief, and that a clause should be added to some proper bill for that purpose.

*Ordered*, That the same committee do prepare and bring in such clause.

Mr. Schermerhorn from the committee to whom was referred the petition of Christian Hardwick, reported, that having attended to the subject committed to them they find that the matter stated in said petition appears, from the petitioners discharge, two muster rolls, a certificate from Mr. Jer. Van Rensselaer, late pay-master to the first New-York regiment, all which accompanies said petition, to be true; and by a law of this state entitled "An act for raising troops to complete the line of this state in the service of the United States, and the two regiments to be raised on bounties of unappropriated lands, and for the further defence of the frontiers of this state," passed the 23d day of March, 1782, it therefore appears that the petitioner is entitled to relief, and that a clause should be added to some proper bill for that purpose.

*Ordered*, That the same committee do prepare and bring in such clause.

Mr. Robins from the committee to whom was referred the petition of Cornelia Blauw and Jotham Post, jun. reported, that by a law of this state, passed the 22d day of March, 1788, all the estate of the late Waldron Blauw, deceased, forfeited to and vested in the people of this state, which then remained unsold by the commissioners of forfeitures, was vested in Eleanor Blauw, widow of the said Waldron Blauw, deceased, for and during her natural life, and after her death to her children, then to

be equally divided amongſt them as tenants in common. The committee beli
that the property granted to and received by the ſaid Eleanor Blauw from the
ple of this ſtate was a ſufficiency for precluding any further compenſation. T
are therefore of opinion that the petitioners are not entitled to any Legiſlative

*Reſolved*, That this Houſe do concur with the committee in their ſaid report.

Mr. Dewey from the committee of the whole Houſe on the bill entitled "An
for the aſſeſſment and collection of taxes," reported, that the committee had g
through the bill, made amendments, filled up the blanks and agreed to the ſa
which he was directed to report to the Houſe, and he read the report in his pl
and delivered the bill and amendments in at the table, where the ſame were a
read and agreed to by the Houſe.

*Ordered*, That the bill be engroſſed.

Mr. Gray from the committee to whom was committed the bill entitled "An
to incorporate a part of Stephentown for the purpoſes therein mentioned," repo
that the committee had gone through the bill, made amendments and filled up
blanks, which he was directed to report to the Houſe, and he read the report in
place, and delivered the bill in at the table, where the ſame was again read a
agreed to by the Houſe.

*Ordered*, That the bill be engroſſed.

The Houſe proceeded to the conſideration of the report of the committee on
petition of William De Groot and others, which report is entered on the journal
this Houſe of the 4th inſt. The ſaid report having been again read: Thereup

*Reſolved*, That the ſame committee do prepare and bring in a bill authorizing t
ſale of the real eſtate of the late Gerrit De Groot, deceaſed, for the benefit of
heirs, and for the relief of others in ſimilar caſes.

Two ſeveral meſſages from the Hon. the Senate, delivered by Mr. Spencer and M
Strong, with the bills therein reſpectively mentioned, were read, that the Sena
have paſſed the bill entitled "An act to inveſt the Mayor, Aldermen and Commo
alty of the city of New-York with the adequate powers in relation to certain obje
of importance to the health of the ſaid city," and the bill entitled "An act provi
ing for the payment of certain contingent charges of the former county of Her
mer," and requeſting the concurrence of this Houſe to the ſaid bills reſpectivel
The ſaid bills were ſeverally read the firſt time and ordered a ſecond reading.

A copy of a reſolution of the Hon. the Senate, alſo delivered by Mr. Spenc
and Mr. Strong, was read, that the Senate do concur with this Houſe in their re
lution as entered on the journal the 6th inſt. relative to a bridge acroſs the Wa
ping's creek in the county of Dutcheſs.

A copy of a reſolution of the Hon. the Senate, alſo delivered by Mr. Spencer a
Mr. Strong, was read, and is in the words following, viz.

Whereas ſeveral of the Oneida Indians have been deputed by their nation
buſineſs at the ſeat of government, and having ſignified their intention of returni
home; therefore,

*Reſolved*, (if the Hon. the Aſſembly concur herein) That his Excellency the Go
ernor take an order on the treaſury for a ſum not exceeding forty dollars, to defra
the expenſes of the ſaid Indians on their return to their reſpective homes.

*Reſolved*, That this Houſe do concur with the Hon. the Senate in their ſaid pr
ceding reſolution.

*Ordered*, That Mr. Veeder and Mr. Voorhis deliver a copy of the preceding con
current reſolution to the Hon. the Senate.

A meſſage from the Hon. the Council of Reviſion, tranſmitted to this Houſe b
the Hon. the Senate, was read, that it does not appear improper to the Council tha
the bill entitled "An act relative to the lands of the Cayuga Indians," ſhould be
come a law of this ſtate.

A copy of a reſolution of the Hon. the Senate, delivered by Mr. Tappen an
Mr. Ten Eyck, was read, that the Senate do concur with this Houſe in their reſo
lution as entered on the journal of this Houſe of the 4th inſt. relative to a road i
Smithtown in the county of Suffolk.

Mr. Weſtcott from the committee of the whole Houſe on the bill entitled "A
act for the relief of John G. Houſe and Iſaac Rapalja," reported, that the commi

tee had gone through the bill, made amendments, added a clauſe and altered the title, that the altered title is "An act for the ſale of land to John G. Houſe, Iſaac Rapalje and Samuel Bear," which he was directed to report to the Houſe and he read the report in his place and delivered the ſame in at the table, where it was again read agreed to by the Houſe.

*Ordered*, That the bill be engroſſed.

Mr. Burr from the committee to whom was referred the petition of the Florida library truſtees, reported, That the act entitled "An act to incorporate ſuch perſons as may aſſociate for the purpoſe of procuring and erecting public libraries within this ſtate," hath produced very beneficial effects; that in the opinion of the committee further encouragement ſhould be held out by the Legiſlature to promote the eſtabliſhment of public libraries, but that partial gratuities would not be adviſeable. The committee therefore recommend to the conſideration of the Houſe the following reſolution:

*Reſolved*, That a committee be appointed to conſider what, if any, further encouragement ſhould be given to promote the eſtabliſhment of public libraries, and that the ſaid committee report by bill or otherwiſe.

The ſaid report and reſolution was agreed to by the Houſe.

*Ordered*, That the ſame committee do prepare and bring in ſuch bill.

Mr. Burr, according to order, brought in the ſaid bill entitled "An act to amend the act to incorporate ſuch perſons as may aſſociate for the purpoſe of procuring and erecting public libraries within this ſtate," which was read the firſt time and ordered a ſecond reading.

Mr. Fairlie from the committee of the whole Houſe on the bill entitled "An act relative to part of the ſouth boundary of the county of Columbia," reported, that in proceeding in the ſaid bill the enacting clauſe thereof was read; that debates aroſe, and the queſtion having been put whether the committee did agree to the ſaid clauſe, it was carried in the affirmative. That the yeas and nays were called for by Mr. S. Ten Broeck, ſeconded by Mr. Van Renſſelaer, and were as follows, viz

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Mr. Adams | Mr. Floyd | Mr. Nexen | Mr. John Smith |
| Mr. Arcularius | Mr. Hogeboom | Mr. Peck | Mr. Joſhua Smith |
| Mr. Boyd | Mr. Honeywell | Mr. Philips | Mr. Snell |
| Mr. Bruyn | Mr. Hunt | Mr. Robins | Mr. Storm |
| Mr. Burling | Mr. Kane | Mr. Root | Mr. Swartwout |
| Mr. Burr | Mr. Lanſon | Mr. Savage | Mr. S. Ten Broeck |
| Mr. Campbell | Mr. J. Lanſingh | Mr. Skidmore | Mr. Thomas |
| Mr. Coe | Mr. C. M'Kinſtry | Mr. A. Smith | Mr. Veeder |
| Mr. Comſtock | Mr. J. M'Kinſtry | Mr. H. Smith | Mr. Weſtcott 36 |

*For the Negative.*

| | | | |
|---|---|---|---|
| Mr. Abeel | Mr. Foot | Mr. Hoag | Mr. Pauling |
| Mr. Adgate | Mr. French | Mr. Hopkins | Mr. Schuyler |
| Mr. Adriance | Mr. Furman | Mr. Johnſon | Mr. John M. Smith |
| Mr. Barker | Mr. Gates | Mr. M'Neil | Mr. Speaker |
| Mr. Bill | Mr. German | Mr. Micheau | Mr. Tabor |
| Mr. Clift | Mr. B. Gilbert | Mr E. Mott | Mr. Teed |
| Mr. Dewey | Mr. Gray | Mr. W. Mott | Mr. Van Benthuyſen |
| Mr. Dodge | Mr. Herrmance | Mr. Oſtrom | Mr. Van Renſſelaer 34 |
| Mr. Doty | Mr. Henry | | |

Which report be read in his place and delivered the ſame in at the table, where it was again read and agreed to by the Houſe, and the bill ordered the third reading on Monday next.

The order of the day was further poſtponed until Tueſday next.

Then the Houſe adjourned until ten o'clock on Monday morning next.

MONDAY, *ten o'clock, A. M. March* 11*th*, 1799.

The engroſſed bill entitled "An act for the aſſeſſment and collection of taxes," was read the third time. Mr. Speaker put the queſtion, whether the ſaid bill ſhould paſs, and it was carried in the affirmative. The yeas and nays being called for by Mr. Comſtock, ſeconded by Mr. Adriance, were as follows, viz.

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Mr. Abeel | Mr. De Witt | Mr. King | Mr. Prevoft |
| Mr. Adams | Mr. Dodge | Mr. C. Lanfingh | Mr. Robins |
| Mr. Adgate | Mr. Doty | Mr. J. Lanfingh | Mr. Root |
| Mr. Arcularius | Mr. Fairlie | Mr. Lefevre | Mr. Savage |
| Mr. Baldwin | Mr. Fort | Mr. Lott | Mr. Schermerhorn |
| Mr. Barker | Mr. French | Mr. M'Intye | Mr. Shurtleff |
| Mr. Bill | Mr. Furman | Mr. C. M'Kinftry | Mr. Skidmore |
| Mr. Boyd | Mr. Gates | Mr. J. M'Kinftry | Mr. H. Smith |
| Mr. Bruyn | Mr. German | Mr. M'Neil | Mr. John M. Smith |
| Mr. Burling | Mr. B. Gilbert | Mr. Micheau | Mr. Philip Smith |
| Mr. Burr | Mr. Gray | Mr. Moore | Mr. Storm |
| Mr. Butler | Mr. Hall | Mr. E. Mott | Mr. Swartwout |
| Mr. Campbell | Mr. Heermance | Mr. Nexen | Mr. Teed |
| Mr. Clift | Mr. Henry | Mr. Oftrom | Mr. S. Ten Broeck |
| Mr. Coe | Mr. Hoag | Mr. Paine | Mr. Thomas |
| Mr. Corl | Mr. Hopkins | Mr. Pauling | Mr. Voorhis |
| Mr. Crocker | Mr. Hunt | Mr. Pearce | Mr. Weftcott |
| Mr. Cummings | Mr. Johnfon | Mr. Peck | Mr. Wolfe 74 |
| Mr. Dewey | Mr. Kane | Mr. Philips | |

*For the Negative.*

| | | | |
|---|---|---|---|
| Mr. Adriance | Mr. Hogeboom | Mr. Schuyler | Mr. Snell |
| Mr. Blake | Mr. Landon | Mr. A. Smith | Mr. Tabor |
| Mr. Comftock | Mr. W. Mott | Mr. John Smith | Mr. Van Benthuyfen |
| Mr. Deitz | Mr. Schuneman | Mr. Joshua Smith | Mr. Veeder 17 |
| Mr. Floyd | | | |

Thereupon, *Refolved*, That the bill do pafs.

The engroffed bill entitled "An act to incorporate a part of Stephentown for the purpofes therein mentioned," was read the third time.

*Refolved*, That the bill do pafs.

The engroffed bill entitled "An act for the fale of lands to John G. Houfe, Ifaac Rapalja and Samuel Bear," was read the third time.

*Refolved*, That the bill do pafs.

*Ordered*, That Mr. Weftcott and Mr. Wolfe deliver the three laft mentioned bills to the Hon. the Senate, and requeft their concurrence to the faid bills refpectively.

The bill entitled "An act relative to part of the fouth boundary of the county of Columbia," was read the third time. Mr. Speaker put the queftion, whether the faid bill fhould pafs, and it was carred in the affirmative. The yeas and nays being called for by Mr. Clift, feconded by Mr. Dodge, were as follows, viz.

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Mr. Adams | Mr. De Witt | Mr. J. M'Kinftry | Mr. John Smith |
| Mr. Adgate | Mr. Fairlie | Mr. Nexen | Mr. Joshua Smith |
| Mr. Arcularius | Mr. Floyd | Mr. Peck | Mr. Snell |
| Mr. Baldwin | Mr. Hogeboom | Mr. Philips | Mr. Storm |
| Mr. Boyd | Mr. Honeywell | Mr. Prevoft | Mr. Swartwout |
| Mr. Bruyn | Mr. Hunt | Mr. Robins | Mr. S. Ten Broeck |
| Mr. Burling | Mr. Landon | Mr. Root | Mr. Thomas |
| Mr. Campbell | Mr. J Lanfingh | Mr. Savage | Mr. Veeder |
| Mr. Coe | Mr. Lefevre | Mr. Skidmore | Mr. Weftcott |
| Mr. Comftock | Mr. M'Intyre | Mr. A. Smith | Mr. Wolfe 43 |
| Mr. Corl | Mr. C. M'Kinftry | Mr. H. Smith | |

*For the Negative.*

| | | | |
|---|---|---|---|
| Mr. Adriance | Mr. Fort | Mr. Hopkins | Mr. Pauling |
| Mr. Barker | Mr. French | Mr. Johnfon | Mr. Pearce |
| Mr. Bill | Mr. Furman | Mr. King | Mr. Reynolds |
| Mr. Butler | Mr. Gates | Mr. C. Lanfingh | Mr. Schuyler |
| Mr. Clift. | Mr. German | Mr. Lott | Mr. Shurtleff |
| Mr. Crocker | Mr. B. Gilbert | Mr. Micheau | Mr. John M. Smith |
| Mr. Cummings | Mr. Gray | Mr. E. Mott | Mr. Tabor |
| Mr Deitz | Mr. Hall | Mr. W. Mott | Mr. Teed |
| Mr. Dewey | Mr. Heermance | Mr. Oftrom | Mr. Van Benthuyfen |
| Mr. Dodge | Mr. Henry | Mr. Paine | Mr. Voorhis 42 |
| Mr. Doty | Mr. Hoag | | |

Thereupon, *Refolved*, That the bill do pafs.

*Ordered*, That Mr. Weftcott and Mr. Wolfe deliver the bill to the Hon. the Senate, and inform them that this Houfe have paffed the bill without amendment.

The bill entitled "An act to inveft the Mayor, Aldermen and Commonalty of the city of New-York with adequate powers in relation to certain objects of im-

tance to the health of the ſaid city," was read the ſecond time and committed the members attending this Houſe from the city and county of New-York.

The bill entitled "An act providing for the payment of certain contingent charges the former county of Herkimer," was read the ſecond time and committed to the mbers attending this Houſe from the county of Herkimer.

The bill entitled "An act to amend the act to incorporate ſuch perſons as may ociate for the purpoſe of procuring and erecting public libraries within this ſtate," bill entitled "An act for the relief of William Lighthall," and the bill entitled An act for the relief of George Merchant," were ſeverally read the ſecond time d committed to a committee of the whole Houſe.

A meſſage from his Excellency the Governor, delivered by his private ſecretary, s read, and is in the words following, viz.

GENTLEMEN,

I have the honor of laying before you the annual report of the Regents of the iverſity.

JOHN JAY.

ALBANY, 11*th March*, 1799.

The report of the Regents of the Univerſity is in the words following, viz.

*The Regents of the Univerſity reſpectfully make the following as their annual Report to the Legiſlature:*

COLUMBIA COLLEGE conſiſts of ſeventy-four ſtudents, under the tuition the faculty of arts, and twenty-two ſtudents in medicine. The inſtruction con- nues to be given according to the eſtabliſhed rules of the inſtitution in the Latin d Greek languages, and on the various ſubjects of Grecian and Roman antiqui- s, natural philoſophy, mathematics, geography, rhetoric, and belles lettres.

For the ſupport of theſe different profeſſorſhips the funds of the college are but rely ſufficient. The committee therefore who viſited the college have ſuggeſted e propriety of applying to the Legiſlature for a continuation of the grant of 750l. year made in 1792, and which will expire in April in the preſent year. From e money thus appropriated profeſſorſhips have been eſtabliſhed in agriculture, tural hiſtory, chemiſtry, logic, and moral philoſophy. Much good has reſulted om this enlargement of the plan of academical inſtruction; but theſe uſeful pro- ſſorſhips will entirely fall to the ground, unleſs they continue to be ſuſtained by e bounty of the Legiſlature. The medical ſchool in this college is advancing in efulneſs and reputation: by the proviſion that is made for the ſupport of a rofeſſorſhip in anatomy, the profeſſor in that department is enabled to make his urſe of inſtruction very advantageous. The profeſſors of the obſtetrical art, the actice of phyſic and the materia medica, ſtill continue to labour for the public ood, and receive no pecuniary compenſation for their meritorious ſervices.

Upon a general view of this flouriſhing ſeminary the committee conclude with ex- reſſing their opinion that a more complete courſe of liberal inſtruction is not af- rded in any college in the United States than is now exhibited in this college.

UNION COLLEGE. The truſtees of this college exhibited the following ccount on the 28th January laſt, of their funds and other property, as on the firſt y of April laſt, at which date the Treaſurer's accounts were ſettled:

| | | | |
|---|---|---|---|
| 1. | Bonds and mortgages given originally by the truſtees of the town towards the eſtabliſhment of funds - - | 20,301 | 6 |
| 2. | Do. paid by the truſtees of the town for houſe and lot where the college exerciſes are conducted - - - | 5,712 | 50 |
| 3. | Houſe and lot for the preſident - - - - | 3,500 | |
| 4. | Lot on which the new college building is erected - - | 3,250 | |
| 5. | Philoſophical and mathematical inſtruments and library - | 2,516 | |
| 6. | Caſh appropriated to the purchaſe of apparatus and library not yet expended - - - - - | 1,234 | |
| | Dolls. | 36,513 | 56 |

o which are to be added 1604 acres of lands, as yet however unimproved and un- oductive. Part of the ſubſcriptions to the funds are ſtill due, but a large pro- ortion of them have been expended in maintaining the uſual eſtabliſhment of ficers in the college, and in other neceſſary objects created by the circumſtances the inſtitution.

The new building for the college is a plain but ſubſtantial edifice, advanced at preſent to the heighth of two ſtories, to which a third is to be added this ſpring. The faculty of the college conſiſts of a preſident, a profeſſor of natural philoſophy and aſtronomy, Dr. C. Van Den Heuvel, elected laſt ſpring; a profeſſor of mathematics, and one tutor. It is with concern however that the truſtees add that Dr. Smith, the preſident, has reſigned his office, to which they have reluctantly conſented, on condition of his continuing the exerciſe of his uſual duties till the ſecond Monday in May next, if the circumſtances of the college ſhould require it. No alteration has been made in the plan of education, except that the ſtudy of antiquities and the principles of arithmetic are to be attended to in the firſt claſs inſtead of the ſecond, and a review of criticiſm, hiſtory and chronology is directed to be made by the philoſophical claſs. The number of ſtudents at preſent in the college amount to 45, ſix were admitted to the firſt degree in arts at the laſt, and it is expected fourteen will be graduated at the next commencement.

The circumſtances of the times have conſiderably impeded the progreſs of the college with regard to numbers; it has been impoſſible therefore for the truſtees to ſupport the neceſſary expences of the inſtitution from the money received for tuition, even when aided by the intereſt of their funds; they have conſequently been obliged to make large encroachments upon their capital, and it is probable from many cauſes, that they will be obliged to diminiſh it ſtill further, unleſs they receive ſome immediate aid; they have therefore requeſted the influence of the Regents in promoting their application to the Legiſlature for further aſſiſtance; and they add further that the appearance of the ſtudents at public examinations and the general order of the college evince that the officers of the college diſcharge their reſpective duties with ability and aſſiduity.

ERASMUS HALL. There were in this academy during the laſt ſummer between 50 and 60 ſtudents, but when it was afterwards viſited by the committee there were only 42, of which number 16 were learning the Latin and Greek languages, ten mathematics, four book-keeping, and the remainder the Engliſh language and grammar, and out of theſe different claſſes there are two conſiſting both together of 14 ſcholars in geography, and all are occaſionally employed in arithmetic and writing. There are three teachers; Dr. Willſon is nominally the principal, but does not reſide at the academy, being a profeſſor in Columbia college.

COLUMBIA ACADEMY, in the town of Kinderhook. The truſtees of this academy have laid before the Regents a brief ſtatement of the ſituation of their ſeminary. The building which has been erected for an academy is yet in an unfiniſhed ſtate, owing to the want of new reſources, the former being only the voluntary ſubſcriptions of certain individuals, having been exhauſted. However they anticipate the day when the inhabitants of their town will exert themſelves with renewed vigour to complete a building which has already coſt them a conſiderable ſum of money, and which when finiſhed muſt reflect honor on them. Their preſent teacher is Mr. David Knapp, a graduate of Williams College, whoſe diligence and attention to his pupils merit regard. The whole number of ſcholars is 57, who are engaged in the following ſtudies; ten the Latin and Greek languages, five geography, 20 Engliſh grammar and writing, ſix arithmetic, and 15 orthography. In the ſummer ſeaſon the number of ſcholars is 70 or upwards. The healthy ſituation of the town, its growth and increaſing proſperity, together with other circumſtances, induce the truſtees to hope may in time render their ſeminary one of the firſt academies in the ſtate.

CLINTON ACADEMY. In this academy there were in November laſt 63 ſcholars, four of whom were learning the Latin and Greek languages, four mathematics, eight Engliſh grammar, and the remainder reading and writing; in addition to which there are 37 inſtructed in arithmetic at the evening ſchool in the academy. The number of ſcholars has lately decreaſed on account of the ſmall pox which has prevailed in the neighbourhood. No alteration either as it reſpects the inſtructors, the funds or the mode of education has taken place for the laſt three years.

HAMILTON ONEIDA ACADEMY. The truſtees have repreſented to the Regents that they have completed ſo much of the building as is ſufficient for the accommodation of a large ſchool. They have procured an inſtructor, Mr. John

Niles, who has had experience in the inſtruction of youth at Greenfield Academy in Connecticut, and whoſe recommendation from the Rev. Dr. Dwight, is an ample teſtimonial of his virtue and of his qualifications as an inſtructor. The ſchool was opened in the academy on the 26th day of December laſt; nearly 20 ſcholars were admitted and the number was daily increaſing, and there was reaſon to believe would in a ſhort time be reſpectable.

NORTH SALEM ACADEMY conſiſts of 55 ſcholars, of which 30 are ſtudying the different languages and the remainder mathematics and reading. This academy has no income except what ariſes from the tuition money paid by the ſcholars.

The other academies which have been eſtabliſhed not having been viſited, and no information concerning them having been received during the courſe of the year, it is not in the power of the Regents to report their reſpective ſtate and condition.

The Regents cannot conclude this report without taking the liberty to obſerve, that they conſider Columbia and Union colleges as valuable ſeminaries, highly conducive to the honour and intereſt of the ſtate, and that from the incompetency of their funds to the great and important object of their inſtitution, it is very deſireable that they may receive proper aid and ſupport from the ſtate.

By order of the Regents at Albany, March 5, 1799.

JOHN JAY, *Chancellor.*

By command of the Chancellor,

FR. BLOODGOOD, *Secretary.*

A petition of John Lucas and Samuel Stewart, leſſees under Peter Smith, relative to land in the late Oneida reſervation, was read and referred to Mr. King, Mr. Cummings and Mr. Lott.

Mr. Adams from the committee to whom was referred the petition of Owen Bennet, reported, that they have inveſtigated the petitioner's claim, and examined James Van Renſſelaer, head of the claſs, who hired the ſaid Bennett to ſerve as a ſoldier, and are of opinion that the prayer of the petition ought to be granted; they have prepared a clauſe to be added to ſome proper bill for that purpoſe, and directed him to aſk for leave to bring in the ſame.

*Ordered*, That leave be given accordingly.

Mr. Root from the committee to whom was committed the bill entitled "An act relative to the county of Delaware," reported, that the committee had gone through the bill, made amendments and added two clauſes, which he was directed to report to the Houſe, and he read the report in his place, and delivered the bill, amendments and clauſes in at the table, where the ſame were again read and agreed to by the Houſe.

*Ordered*, That the bill be engroſſed.

Mr. Butler from the committee to whom was referred the petition of Andrew Peers and others, of the town of Stamford, in the county of Delaware, praying for a diviſion of ſaid town, reported, that the facts ſtated in ſaid petition are true; that the ſaid town is very large, and divided by a range of mountains, which renders the communication between the two extreme parts, which contain the principal ſettlements, very difficult at certain ſeaſons of the year, and at all times inconvenient and expenſive to the citizens thereof in tranſacting their neceſſary local arrangements. The committee are therefore of opinion that the petitioners are entitled to relief; that they have prepared a bill for that purpoſe, and directed him to aſk for leave to bring in the ſame. Leave being given, Mr. Butler brought in the ſaid bill entitled "An act for dividing the town of Stamford, in the county of Delaware." which was read the firſt time, and by unanimous conſent, was alſo read a ſecond time and committed to Mr. Butler, Mr. Root and Mr. Swart.

Mr. Prevoſt from the committee of the whole Houſe on the bill entitled "An act for the relief of actual ſettlers on the Oneida reſervation," reported, that in proceeding in the ſaid bill, Mr. Burr moved a reſolution, which was read and agreed to by the committee, in the words following, viz.

*Reſolved*, as the ſenſe of this committee, that a committee be appointed to bring in a bill for the relief of ſuch purchaſers of the Oneida, Onondaga and Cayuga re-

ſervations as were actually ſettled and reſiding on the lands by them reſpectively purchaſed, on or before the 28th day of February laſt paſt.

Which he was directed to report to the Houſe, and he read the report in his place, and delivered the ſame in at the table, where it was again read and agreed to by the Houſe: Thereupon,

*Reſolved*, That a committee be appointed to bring in a bill for the relief of ſuch purchaſers of the Oneida, Onondaga and Cayuga reſervations as were actually reſiding on the lands by them reſpectively purchaſed on or before the 28th day of February laſt paſt, and that Mr. King, Mr. Savage, Mr. Baldwin, Mr. Burr and Mr. Shurtleff be of the the ſaid committee.

Mr. Butler from the committee to whom was committed the bill entitled "An act for dividing the town of Stamford, in the county of Delaware," reported, that the committee had gone through the bill and agreed to the ſame without amendment, which he was directed to report to the Houſe, and he read the report in his place, and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

*Ordered*, That the bill be engroſſed.

Mr. Storm from the committee of the whole Houſe on the bill entitled "An act directing certain bills of credit and certificates belonging to this ſtate to be cancelled," reported progreſs and obtained leave to ſit again.

Mr. Butler from the committee to whom were referred the ſeveral petitions of Gideon Weiſt and others, of the town of Walton, in the county of Delaware, and of William Macclure and others, of the town of Chenango, in the county of Tioga, reported, that in the opinion of the committee the prayer of the petitioners cannot now be granted. No evidence has appeared that the erection of a new town, as prayed for, would not incommode the remaining towns of Walton and Chenango, and as the ſeſſion is near a cloſe, and proper information cannot now be obtained, the committee are therefore of opinion that the petitioners ſhould have leave ſeverally to withdraw their petitions.

*Ordered*, That the conſideration of the ſaid report be poſtponed until Monday next.

*Ordered*, That the committee of the whole Houſe be diſcharged from the further conſideration of the bill entitled "An act to amend the act entitled "An act for the better ſettlement and relief of the poor," and that the ſame be committed to the members attending this Houſe from the city and county of New-York.

*Ordered*, That Mr. Butler have leave of abſence for the remainder of the ſeſſion.

Then the Houſe adjourned until ten o'clock to-morrow morning.

TUESDAY, *ten o'clock, A. M. March 12th*, 1799.

The engroſſed bill entitled "An act relative to the county of Delaware," was read the third time.

*Reſolved*, That the bill do paſs.

The engroſſed bill entitled "An act for dividing the town of Stamford in the county of Delaware," was read the third time.

*Reſolved*, That the bill do paſs.

*Ordered*, That Mr. Wolfe and Mr. Abeel deliver the two laſt mentioned bills to the Hon. the Senate and requeſt their concurrence to the ſaid bills reſpectively.

A petition of William Cutbirth and others, inhabitants of the town of Manlius, in the county of Onondaga, relative to the lots reſerved in the ſaid county for promoting the goſpel and ſchools, was read and referred to Mr. Paine, Mr. John Smith and Mr. Dewey.

A petition of Samuel Harris and others, inhabitants of the county of Onondaga, purchaſers of lots of land in the late Cayuga, Onondaga and Oneida reſervations, relative to the payment of intereſt on the ſaid purchaſes, was read and referred to Mr. King, Mr. Savage, Mr. Baldwin, Mr. Burr and Mr. Shurtleff.

A petition of Jacob Webber and others, and a petition of Solomon Johnſon and others, inhabitants of the town of Frankfort in the county of Herkimer, relative to annnexing a part of the town of German-Flats to the ſaid town, were ſeverally read and referred to the members attending this Houſe from the ſaid county.

A petition of Matthew Duncan, John M. Maſon and Margaretta Maſon, pray-

ing that a certain diviſion made of the real eſtate of the late Dr. John Maſon, may be confirmed by an act of the Legiſlature, was read and committed to a committee of the whole Houſe when on the bill entitled "An act to amend the ſeveral laws of this ſtate relative to the partition of lands."

A petition of Solomon Simſon and Henry Remſen, and a petition of Elijah Hunter and Samuel Street, were ſeverally read and referred to the Attorney-General to report thereon.

Mr. Bill from the committee to whom was referred the petition of the truſtees of Union College, reported, that from the report of the board of truſtees to the committee of regents, and other papers accompanying the ſaid petition, it appears that legiſlative aid is highly neceſſary; that the committee have prepared a bill for ſuch purpoſe, and have directed him to offer the ſame to the Houſe. The ſaid bill is entitled "An act for ſelling the lots of land in the county of Onondaga aſſigned to promote literature in this ſtate and for increaſing the funds of Union College."

Mr. Adgate from the committee to whom was referred the petition of Thomas Dennis and others, reported, That the petitioners ſtate that ſundry laws have been enacted appointing commiſſioners to apportion the poor between the ſeveral towns of Stillwater, Saratoga and Eaſton which were remaining on hand at the diviſion of the late diſtrict of Saratoga, and alſo to adjuſt the unſettled accounts ſubſiſting at that period between the aforeſaid towns and to report the balance, if any due, from one town to the other; and the petitioners alſo ſtate that they were totally ignorant of the law by which the aforeſaid commiſſioners did meet and adjuſt the aforeſaid account, until a ſhort period before the meeting of the commiſſioners aforeſaid, and the information then by them received was only by looſe report, and that not a ſingle copy of the laws of the laſt ſeſſion was then in ſaid town of Eaſton by the beſt information the committee could obtain.

The committee further report, that they are induced to believe that the facts by the petitioners ſet forth are true, and that they are entitled to relief. The committee have prepared a bill for that purpoſe, and have directed their chairman to move for leave to bring in the ſame. Leave being given, Mr. Adgate brought in the ſaid bill entitled "An act for the relief of the inabitants of the town of Eaſton," which was read the firſt time and ordered a ſecond reading.

Mr. Comſtock from the committee appointed for the purpoſe, brought in according to order, a bill entitled "An act to amend the acts relative to inteſtate eſtates," which was read the firſt time and ordered a ſecond reading.

Mr. Philip Smith, in behalf of Mr. Adgate, from the committee to whom was committed the bill entitled "An act to erect a town in Clinton county," reported, that the committee had gone through the bill, made amendments and expunged the laſt clauſe thereof, which he was directed to report to the Houſe, and he read the report in his place and delivered the bill in at the table, where the ſame was again read and agreed to by the Houſe.

*Ordered*, That the bill be engroſſed.

Mr. Hopkins from the committee appointed for the purpoſe, brought in according to order a bill entitled "An act to amend the act entitled "An act for the further ſale of the unappropriated lands of this ſtate," which was read the firſt time, and by unanimous conſent was alſo read the ſecond time and committed to a committee of the whole Houſe.

Mr. M'Neil from the committee appointed for the purpoſe, brought in according to order, a bill entitled "An act providing for the Indians reſiding at New-Stockbridge," which was read the firſt time and ordered a ſecond reading.

*Ordered*, That the committee of the whole Houſe be diſcharged from the further conſideration of the bill entitled "An act to amend an act entitled "An act for regulating elections," and that the ſame be committed to Mr. Dewey, Mr. Clift and Mr. W. Mott.

A petition of the ſuperviſors of the county of Chenango, relative to certain unſettled accounts between the ſaid county and the counties of Tioga and Herkimer, was read, and referred to the members attending this Houſe from the ſaid ſeveral counties.

*Resolved*, That this House will on Thursday next resolve itself into a committee of the whole House on the bill entitled "An act to erect part of the counties of Albany and Ulster into a separate county by the name of ———."

Mr. Van Rensselaer pursuant to notice by him heretofore given, moved a resolution in the words following, viz.

*Resolved*, (if the Hon. the Senate concur herein) That the Legislature will adjourn on the day of March instant.

*Ordered*, That the consideration of the said resolution be postponed until Friday next.

A message from the Hon. the Senate, delivered by Mr. Ten Eyck and Mr. Thompson, with the bill therein mentioned, was read, that the Senate have passed the bill entitled "An act to divide the town of Thurman," to which they request the concurrence of this House. The said bill was read the first time, and by unanimous consent was also read the second time and committed to the members attending this House from the county of Washington.

A message from the Hon. the Senate, also delivered by Mr. Ten Eyck and Mr. Thompson, with the bill therein mentioned, was read, that the Senate have passed the bill entitled "An act relative to escheats and forfeitures," to which they request the concurrence of this House. The said bill was read the first time and ordered a second reading.

A message from the Hon. the Senate, also delivered by Mr. Ten Eyck and Mr. Thompson, with the bill and amendments therein mentioned, was read, that the Senate have passed the bill entitled "An act to establish a turnpike corporation for improving the state road from the house of John Weaver, in Water-Vliet to Cherry-Valley, and to repeal the act therein mentioned," with the amendments therewith delivered. The bill and amendments were read, and the amendments having been again read, were severally concurred in by the House, and the bill ordered to be amended accordingly.

A message from the Hon. the Senate, also delivered by Mr. Ten Eyck and Mr. Thompson, with the bill and amendments therein mentioned, was read, that the Senate have passed the bill entitled "An act for the disposal of certain timber to Silvenus Wilcox and William Gordon," with the amendments therewith delivered. The bill and amendments were read; one of the amendments is to alter the title, the altered title is "An act for the disposal of certain timber for the purpose of erecting a bridge over the Schoharie creek;" and the amendments having been read a second time, were severally concurred in by the House, and the bill ordered to be amended accordingly.

*Ordered*, That Mr. Abeel and Mr. Adams deliver the two last mentioned bills to the Hon. the Senate, and inform them that this House have concurred in their amendments to the said bills respectively, and have amended the same accordingly.

Mr. M'Intyre from the committee of the whole House on the bill entitled "An act further to amend the act entitled "An act to regulate highways," reported, that Mr. Hopkins made a motion for a clause to be added to the said bill, in the words following, viz.

And be it further enacted, That so much of the act hereby amended as refers to the building or constructing of waggons, shall be, and the same is hereby repealed; and further, that all penalties incurred by any person for or on account of constructing or using any waggon, contrary to the directions of the said act, shall be, and the same is hereby remitted.

That debates arose, and the question having been put thereon, it was carried in the affirmative. The yeas and nays being called for by Mr. M'Neil, seconded by Mr. S. Ten Broeck, were as follows, viz.

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Mr. Abeel | Mr. German | Mr. E. Mott | Mr. John Smith |
| Mr. Adams | Mr. B. Gilbert | Mr. W. Mott | Mr. Philip Smith |
| Mr. Adgate | Mr. Gray | Mr. Paine | Mr. Snell |
| Mr. Adriance | Mr. Hoag | Mr. Pearce | Mr. Swart |
| Mr. Baldwin | Mr. Hogeboom | Mr. Root | Mr. Tabor |
| Mr. Blake | Mr. Honeywell | Mr. Savage | Mr. Teed |
| Mr. Clift | Mr. Hopkins | Mr. Schuneman | Mr. S. Ten Broeck |
| Mr. Crocker | Mr. Johnson | Mr. Schuyler | Mr. Thomas |
| Mr. Deitz | Mr. C. Lansingh | Mr. Skidmore | Mr. Van Benthuysen |
| Mr. Dodge | Mr. C. M'Kinstry | Mr. A. Smith | Mr. Veeder |
| Mr. Doty | Mr. Moore | Mr. H. Smith | Mr. Westcott 45 |
| Mr. Fort | | | |

*For the Negative.*

| | | | |
|---|---|---|---|
| Mr. Arcularius | Mr. Coe | Mr. Henry | Mr. Reynolds |
| Mr. Barker | Mr. Corl | Mr. Lefevre | Mr. Schermerhorn |
| Mr. Bill | Mr. Cummings | Mr. Lott | Mr. Shurtleff |
| Mr. Boyd | Mr. Dewey | Mr. M'Neil | Mr. John M. Smith |
| Mr. Bruyn | Mr. De Witt | Mr. Micheau | Mr. Speaker |
| Mr. Burling | Mr. Fairlie | Mr. Ostrom | Mr. Storm |
| Mr. Burr | Mr. French | Mr. Pauling | Mr. Swartwout |
| Mr. Burt | Mr. Gates | Mr. Peck | Mr. Voorhis |
| Mr. Campbell | Mr. E. Gilbert | Mr. Philips | Mr. Waren |
| Mr. Clark | Mr. Hall | Mr. Prevost | Mr. Wolfe 40 |

Mr. M'Intyre further reported, that the committee had gone through the bill, made amendments, added a clause and agreed to the same; which report he read in his place, and delivered the bill, with the amendments and clause in at the table, where the same were again read and agreed to by the House.

*Ordered*, That the bill be engrossed.

The Attorney-General to whom was referred the petition of Timothy Mills and others, together with the report of the Surveyor-General thereon, reported, that the petitioners state, that they are settled under pretended titles to lands said to be situated within the patent of Kayaderosseras; that many of them have been so settled upwards of twenty years, and that from the true construction of the said patent, recently discovered by them, the lands they occupy are the property of the people of this state. They pray that the Legislature will cause an investigation of the facts to be made, to the end, that the said lands may be granted to *them* on such conditions as shall appear just.

By the report of the Surveyor-General, it appears, that different constructions have been contended for by the government of the former province of New-York and the proprietors under the Kayaderosseras patent, as to the extent of the same, but that no legal decision was ever had on the subject. No evidence, or documents of any kind, have been produced to the Attorney-General; he is therefore unable to form any opinion as to the nature or merits of the supposed controversy. The investigation, proposed by the petitioners, can only be *effectually* accomplished by instituting suits in behalf of the people, which must prove very expensive to the opposite claimants, and may occasion them much inconvenience. Under these circumstances, and presuming the letters patent to admit of different constructions, and considering the length of possession against the presumed title of the state, it would not, in the jugdment of the the Attorney-General, consist with justice or sound policy, that such suits should be directed to be prosecuted without all persons claiming to be interested in the said lands being first notified of the object of the said petition. In the opinion of the Attorney-General, therefore, the prayer of the said petition ought not to be granted.

All which is respectfully submitted.

JOS. OGDEN HOFFMAN, Attorney-General.

*Albany, March* 11, 1799.

*Resolved*, That this House do agree with the Attorney-General in his said report.

The Attorney-General to whom was referred the petition of John Wells, and the report of the committee accompanying the same, reported, that by the last section of the act entitled "An act for the relief of the purchasers of certain lands in the

fourth allotment of the Royal Grant, and for other purpoſes," paſſed March 31ſt, 1798, it is enacted "that it ſhall be lawful for the Comptroller, the Attorney-General and Surveyor-General of this ſtate, or any two of them, by and with the conſent and approbation of the perſon adminiſtering the government, from time to time, to extinguiſh all legal claims againſt lands that have been ſold under the authority of this ſtate." If, as the petitioner ſtates, a title adverſe to the one derived under the ſtate, exiſts to the lands purchaſed by him, it is not improbable that the ſame may be extinguiſhed at a rate much leſs than the one propoſed by the committee. The law appears to have contemplated, in caſes ſimilar to the petitioner's, the probability of ſuch arrangements; and the public officers, to whom the truſt is delegated, have already nearly effected the ſettlement of certain claims againſt forfeited eſtates upon *principles* more conducive to the intereſt of the ſtate, and *equally juſt*, as they affect the rights of the purchaſers under the ſtate, than thoſe ſuggeſted by the committee. It would, therefore, in the opinion of the Attorney-General, be inexpedient for the Legiſlature to interfere at preſent in the premiſes.

All which is reſpectfully ſubmitted.

JOS. OGDEN HOFFMAN, Attorney-General.

*Albany, March* 11, 1799.

*Reſolved*, That this Houſe do agree with the Attorney-General in his ſaid report.

Mr. Bruyn from the committee to whom was referred the petition of John Denny, reported, that they have examined the petition of John Denny, and the papers accompanying the ſame, from which it appears that he has ſerved as a Lieutenant in Col. Van Schaick's regiment from the 16th day of February, 1776, until the 7th day of October, 1778, and that he afterwards ſerved as a batteaux-man, under the quarter-maſter-general's orders; that it appears alſo, from the journal of this Houſe of the 27th day of April, 1784, that the petitioner reſigned his commiſſion as lieutenant in the line of the army, in October, 1778; by reaſon whereof he has precluded himſelf from depreciation of pay, and a gratuity of bounty lands given by law only to the officers and ſoldiers ſerving in the line of the army of this ſtate. The committee are therefore of opinion, that for payment of his ſubſequent ſervices, the petitioner ſhould properly apply to the Congreſs of the United States, and that the prayer of the petition ought not to be granted.

*Reſolved*, That this Houſe do concur with the committee in their ſaid report.

Mr. Storm from the committee of the whole Houſe on the bill entitled "An act altering the times of holding the courts of common pleas and general ſeſſions of the peace in certain counties therein mentioned, and relative to the circuit courts in the county of Renſſelaer," reported progreſs and obtained leave to ſit again.

Mr. Storm from the committee of the whole Houſe on the bill entitled "An act directing certain bills of credit and certificates belonging to this ſtate to be cancelled," reported, that the committee had gone through the bill, made an amendment and agreed to the ſame, which report he read in his place, and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

*Ordered*, That the amendment be engroſſed.

Then the Houſe adjourned until ten o'clock to-morrow morning.

WEDNESDAY, *ten o'clock, A. M. March* 13*th*, 1799.

The bill entitled "An act directing certain bills of credit and certificates belonging to this ſtate to be cancelled," with the engroſſed amendment, was read the third time.

*Reſolved*, That the bill do paſs.

*Ordered*, That Mr. Abeel and Mr. Adams deliver the bill with the amendment to the Hon. the Senate and inform them that this Houſe have paſſed the bill with the amendment therewith delivered.

The bill entitled "An act relative to eſcheats and forfeitures," the bill entitled "An act to amend the act entitled "An act for the further ſale of the unappropriated lands of this ſtate," and the bill entitled "An act providing for the Indians at New-Stockbridge," were ſeverally read the ſecond time and committed to a committee of the whole Houſe.

A petition of Myndert A. Wemple and others, relative to a demand againſt the forfeited eſtate of Andrew Wemple, was read and referred to Mr. Shurtleff, Mr. Deitz and Mr. Doty.

A petition of Aſher Ford, praying a grant of bounty lands for military ſervices, was read and referred to Mr. J. M'Kinſtry, Mr. Thomas and Mr. Abeel.

The Surveyor-General to whom was referred the petition of Cornelius Drake and others, reported, That on the 20th of January, 1783, a location with the proper documents required by law, was filed in the Surveyor-General's office, for 200 acres of unappropriated land, by Reuben Drake, but that no application has ſince been made reſpecting the ſame, and it has of courſe remained on file without having any thing further done about it.

Which is reſpectfully ſubmitted.

SIMEON DE WITT, Surveyor-General.

*Ordered*, That the ſaid report and petition be referred to Mr. Tabor, Mr. Adams and Mr. H. Smith.

The Surveyor-General to whom was referred the petition of James Pettes and others, reported, That there are unappropriated lands belonging to the ſtate where the petitioners deſcribe the tract which they pray may be granted to them.

Which is reſpectfully ſubmitted.

SIMEON DE WITT, Surveyor-General.

*Ordered*, That the ſaid report and petition be committed to the committee of the whole Houſe when on the bill entitled "An act to amend the act entitled "An act for the further ſale of the unappropriated lands of this ſtate."

Mr. Comſtock made a motion that the Houſe ſhould reconſider the reſolution agreed to yeſterday concerning the report of the Attorney-General on the petition of Timothy Mills and others. Mr. Speaker put the queſtion on the ſaid motion, and it was carried in the affirmative. The further conſideration of the ſaid report was then poſtponed until to-morrow.

Mr. Thomas from the committee to whom was referred the petition of John Warford and others, reported, That there are many perſons ſome of whom have numerous families and conſiderable property, who by abandoning themſelves to drunkenneſs and diſſipation not only deſtroy their own uſefulneſs to ſociety, entail poverty and wretchedneſs on their families and at laſt bring both a charge for their ſupport on the induſtrious and virtuous citizens, but by their example aided by the means which the property they are ſpending affords them, draw around their ſtandard a number of youths, who thereby imbibe habits which tend to corrupt and deſtroy their morals alſo. The committee are therefore of opinion that this ſubject requires legiſlative interference; that they have prepared a bill for that purpoſe and directed their chairman to move for leave to bring in the ſame. Leave being given, Mr. Thomas brought in the ſaid bill entitled "An act to prevent diſſipated perſons from ſpending their eſtates," which was read the firſt time and ordered a ſecond reading.

Mr. Pearce from the committee to whom was referred the petition of Archibald Campbell, reported, That they have duly conſidered the matters contained in ſaid petition and the vouchers accompanying the ſame, in which the petitioner ſtates, that he did in the month of February, 1795, preſent a petition to the Hon. the Legiſlature of the ſtate of New-York in the name of John M'Kay, adminiſtrator of the eſtate of Archibald Campbell, deceaſed, together with a note executed by Beverly Robinſon to the ſaid A. Campbell for the payment of 100l. 16s. dated the 8th day of February, 1772, on intereſt, praying payment of ſaid note out of the eſtate of the ſaid Beverly Robinſon, which became forfeited to the people of this ſtate by the attainder of the ſaid Beverly Robinſon; that the ſaid petition was referred to a committee of three, which committee reported, that in their opinion the prayer of the ſaid petition ought to be granted. That the petitioner preſented another petition on the 9th February, 1796, for the like purpoſe, in the name of John M'Kay aforeſaid, which was referred to Mr. Wood, Mr. D. Ten Broeck and Mr. Knickerbacker, and that he delivered the aforeſaid note to Mr. Wood, chairman of ſaid committee, which note he has ſince been informed was delivered to Mr. Ker, then clerk of the Houſe of Aſſembly; and further the petitioner ſtates, that he did make application in the years 1797 and 1798, to the preſent clerk for ſaid note, but it could not be found; that at the time of receiving the ſame from ſaid M'Kay he gave his receipt for ſaid note, promiſing to return the ſame or one half of the amount thereof to the ſaid M'Kay. The petitioner further ſtates, that he never has

been able to obtain ſaid note or any information what has become of it, but is ſtil bound by his receipt to return ſaid note or the equal half of the amount; that b the ſettlement of the eſtate of the ſaid Archibald Campbell, deceaſed, he is juſtl entitled to the equal half of ſaid note; that he is not only deprived by the loſs o ſaid note of recovering of the heirs of Beverly Robinſon, deceaſed, but is holden t pay one half the amount of ſaid note to ſaid John M'Kay. The committee are o opinion that the matters ſtated by the petitioner are ſtrictly true, therefore are o opinion that he is juſtly entitled to relief, that the committee have prepared a bi for that purpoſe and have directed their chairman to aſk for leave to bring in th ſame. Leave being given, Mr. Pearce brought in the ſaid bill entitled "An act fo the relief of Archibald Campbell," which was read the firſt time and ordered a ſecon reading.

Mr. Prevoſt from the committee of the whole Houſe on the bill entitled "A act to aboliſh impriſonment for debts contracted after the 4th July, 1799," reporte that after the ſaid bill had been read through in the committee, Mr. John M. Smit made a motion that the committee ſhould agree to reject the ſame; that debat were had, and the queſtion having been put thereon, it paſſed in the negative; th the yeas and nays were called for by Mr. Fairlie, ſeconded by Mr. Arcularius, an were as follows, viz.

*For the Negative.*

| | | | |
|---|---|---|---|
| Mr. Abeel | Mr. Coe | Mr. Kane | Mr. Schuneman |
| Mr. Adams | Mr. Comſtock | Mr. M'Intye | Mr. Skidmore |
| Mr. Adgate | Mr. Corl | Mr. J. M'Kinſtry | Mr. A. Smith |
| Mr. Adriance | Mr. Crocker | Mr. M'Neil | Mr. John Smith |
| Mr. Arcularius | Mr. Dodge | Mr. Moore | Mr. Joſhua Smith |
| Mr. Baldwin | Mr. Fort | Mr. E. Mott | Mr. Snell |
| Mr. Barker | Mr. French | Mr. Oſtrom | Mr. Storm |
| Mr. Boyd | Mr. German | Mr. Paine | Mr. Swartwout |
| Mr. Bruyn | Mr. E. Gilbert | Mr. Peck | Mr. S. Ten Broeck |
| Mr. Burling | Mr. Hall | Mr. Reynolds | Mr. Thomas |
| Mr. Burt | Mr. Hogeboom | Mr. Robins | Mr. Veeder |
| Mr. Campbell | Mr. Hopkins | Mr. Savage | Mr. Waren |
| Mr. Clark | Mr. Johnſon | Mr. Schermerhorn | |

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Mr. Bill | Mr. B. Gilbert | Mr. Micheau | Mr. Philip Smith |
| Mr. Blake | Mr. Gray | Mr. W. Mott | Mr. Speaker |
| Mr. Clift | Mr. Hoag | Mr. Nexen | Mr. Swart |
| Mr. Deitz | Mr. Honeywell | Mr. Pearce | Mr. Tabor |
| Mr. Dewey | Mr. Hunt | Mr. Philips | Mr. Teed |
| Mr. De Witt | Mr. C. Lanſingh | Mr. Root | Mr. Van Benthuyſen |
| Mr. Fairlie | Mr. Lefevre | Mr. Schuyler | Mr. Weſtcott |
| Mr. Floyd | Mr. Lott | Mr. H. Smith | Mr. Wolfe |
| Mr. Furman | Mr. C. M'Kinſtry | Mr. John M. Smith | |

That in further proceeding in the ſaid bill a motion was made to add a clau in the words following, to wit:

Provided nevertheleſs, And be it further enacted, That whenever judgment obtained and execution iſſued againſt any perſon or perſons and the ſheriff or ot er officer to whom ſuch execution ſhall be delivered, ſhall not within his bailiw be able to find ſufficient property of the debtor to pay the debt and coſt, where to levy, it ſhall be lawful for the ſheriff to take the body of ſuch debtor, and hi or her to commit to the common jail of the county, there to remain till he, ſhe they will deliver up all his, her or their property, as is directed by the fourth ſe tion of an act entitled "An act for the relief of debtors with reſpect to the impriſo ment of their perſons," paſſed the 13th day of February, 1789, to be diſpoſed according to the tenor of ſaid act; and upon ſuch debtors ſo conforming and del ering up his, her or their property as aforeſaid, he, ſhe or they ſhall foerever the after be diſcharged from impriſonment for the ſaid debt, any thing in this act or a other law, uſage or cuſtom to the contrary notwithſtanding.

That the queſtion having been put, whether the committee did agree to the ſa clauſe, it was carried in the affirmative; that the yeas and nays were called for Mr. Gray, ſeconded by Mr. Wolfe, and were as follows, viz.

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Mr. Abeel | Mr. Cummings | Mr. M'Intyre | Mr. A. Smith |
| Mr. Adams | Mr. Dodge | Mr. Moore | Mr. John Smith |
| Mr. Arcularius | Mr. German | Mr. E. Mott | Mr. Joſhua Smith |
| Mr. Barker | Mr. E. Gilbert | Mr. Oſtrom | Mr. Snell |
| Mr. Bruyn | Mr. Hall | Mr. Paine | Mr. Storm |
| Mr. Burling | Mr. Hogeboom | Mr. Peck | Mr. Swartwout |
| Mr. Burt | Mr. Honeywell | Mr. Robins | Mr. S. Ten Broeck |
| Mr. Campbell | Mr. Hopkins | Mr. Savage | Mr. Thomas |
| Mr. Clark | Mr. Hunt | Mr. Schermerhorn | Mr. Veeder |
| Mr. Coe | Mr. Johnſon | Mr. Schuneman | Mr. Waren |
| Mr. Comſtock | Mr. Kane | Mr. Skidmore | Mr. Weſtcott 46 |
| Mr. Crocker | Mr. J. Lanſingh | | |

*For the Negative.*

| | | | |
|---|---|---|---|
| Mr. Adgate | Mr. Floyd | Mr. M'Neil | Mr. John M. Smith |
| Mr. Baldwin | Mr. Fort | Mr. Micheau | Mr. Philip Smith |
| Mr. Bill | Mr. B. Gilbert | Mr. W. Mott | Mr. Speaker |
| Mr. Blake | Mr. Gray | Mr. Nexen | Mr. Swart |
| Mr. Boyd | Mr. Hoag | Mr. Pearce | Mr. Tabor |
| Mr. Clift | Mr. C. Lanſingh | Mr. Philips | Mr. Teed |
| Mr. Corl | Mr. Lefevre | Mr. Root | Mr. Van Benthuyſen |
| Mr. Deitz | Mr. Lott | Mr. Schuyler | Mr. Van Renſſelaer |
| Mr. De Witt | Mr. C. M'Kinſtry | Mr. H. Smith | Mr. Wolfe 37 |
| Mr. Fairlie | | | |

That in proceeding to fill the blank in the firſt enacting clauſe of the ſaid bill, the ſaid clauſe was again read, and is as follows, viz.

Be it enacted by the people of the ſtate of New-York, repreſented in Senate and Aſſembly, That no perſon being an inhabitant and citizen of this ſtate, ſhall be held to bail, or impriſoned within the ſame, on any civil action for any debt, demand or contract, expreſſed or implied; whereof the cauſe of action or contract ſhall ariſe, or be made after the next, any law, uſage or cuſtom to the contrary notwithſtanding. Provided always, that nothing in this act ſhall be conſtrued to extend to actions of ſlander, or wilful or malicious treſpaſs.

That a motion was made to inſert the words "*firſt day of January*" in the ſaid blank, and the queſtion having been put thereon, it was carried in the affirmative; that the yeas and nays were called for by Mr. Swartwout, ſeconded by Mr. Robins, and were as follows, viz.

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Mr. Adriance | Mr. German | Mr. M'Neil | Mr. John Smith |
| Mr. Baldwin | Mr. Gray | Mr. Micheau | Mr. Joſhua Smith |
| Mr. Bill | Mr. Heermance | Mr. E. Mott | Mr. Philip Smith |
| Mr. Blake | Mr. Henry | Mr. W. Mott | Mr. Snell |
| Mr. Boyd | Mr. Hoag | Mr. Nexen | Mr. Storm |
| Mr. Burt | Mr. Hunt | Mr. Pearce | Mr. Swart |
| Mr. Clift | Mr. Kane | Mr. Philips | Mr. Teed |
| Mr. Deitz | Mr. C. Lanſingh | Mr. Root | Mr. Van Benthuyſen |
| Mr. De Witt | Mr. J. Lanſingh | Mr. Schuneman | Mr. Van Renſſelaer |
| Mr. Fairlie | Mr. Lefevre | Mr. Schuyler | Mr. Voorhis |
| Mr. Floyd | Mr. Lott | Mr. Skidmore | Mr. Weſtcott |
| Mr. Fort | Mr. C. M'Kinſtry | Mr. H. Smith | Mr. Wolfe 48 |

*For the Negative.*

| | | | |
|---|---|---|---|
| Mr. Abeel | Mr. Comſtock | Mr. Hopkins | Mr. Schermerhorn |
| Mr. Adams | Mr. Crocker | Mr. Johnſon | Mr. A. Smith |
| Mr. Adgate | Mr. Cummings | Mr. M'Intyre | Mr. Speaker |
| Mr. Arcularius | Mr. Dodge | Mr. J. M'Kinſtry | Mr. Swartwout |
| Mr. Barker | Mr. Gates | Mr. Moore | Mr. Tabor |
| Mr. Bruyn | Mr. B. Gilbert | Mr. Paine | Mr. S. Ten Broeck |
| Mr. Burling | Mr. E. Gilbert | Mr. Peck | Mr. Thomas |
| Mr. Campbell | Mr. Hall | Mr. Robins | Mr. Veeder |
| Mr. Clark | Mr. Hogeboom | Mr. Savage | Mr. Waren 37 |
| Mr. Coe | | | |

That after the committee had gone through the ſaid bill, made amendments, added clauſes, filled up the blanks and altered the title to read "An act to aboliſh impriſonment for debts contracted after the 1ſt January, 1800," the queſtion was put,

whether the committee did agree to the ſaid bill as amended; the yeas and nays were called for by Mr. Root, ſeconded by Mr. John M. Smith, and were as follows, viz.

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Mr. Abeel | Mr. Comſtock | Mr. M'Intyre | Mr. A. Smith |
| Mr. Adams | Mr. Crocker | Mr. J. M'Kinſtry | Mr. John Smith |
| Mr. Adgate | Mr. Cummings | Mr. Moore | Mr. Joshua Smith |
| Mr. Arcularius | Mr. Dodge | Mr. E. Mott | Mr. Snell |
| Mr. Baldwin | Mr. Gates | Mr. Paine | Mr. Storm |
| Mr. Barker | Mr. German | Mr. Peck | Mr. Swartwout |
| Mr. Bruyn | Mr. E. Gilbert | Mr. Robins | Mr. S. Ten Broeck |
| Mr. Burling | Mr. Hall | Mr. Savage | Mr. Thomas |
| Mr. Burt | Mr. Hopkins | Mr. Schermerhorn | Mr. Veeder |
| Mr. Clark | Mr. Johnſon | Mr. Schuneman | Mr. Waren |
| Mr. Coe | Mr. Kane | Mr. Skidmore | 43 |

*For the Negative.*

| | | | |
|---|---|---|---|
| Mr. Adriance | Mr. Furman | Mr. Lott | Mr. Philip Smith |
| Mr. Bill | Mr. B. Gilbert | Mr. C. M'Kinſtry | Mr. Speaker |
| Mr. Blake | Mr. Gray | Mr. M'Neil | Mr. Swart |
| Mr. Boyd | Mr. Heermance | Mr. Micheau | Mr. Tabor |
| Mr. Campbell | Mr. Henry | Mr. W. Mott | Mr. Teed |
| Mr. Clift | Mr. Hoag | Mr. Nexen | Mr. Van Benthuyſen |
| Mr. Deitz | Mr. Honeywell | Mr. Pearce | Mr. Van Renſelaer |
| Mr. De Witt | Mr. Hunt | Mr. Root | Mr. Voorhis |
| Mr. Fairlie | Mr. C. Lanſingh | Mr. Schuyler | Mr. Weſtcott |
| Mr. Floyd | Mr. J. Lanſingh | Mr. H. Smith | Mr. Wolfe |
| Mr. Fort | Mr. Lefevre | Mr. John M. Smith | 43 |

The committee being equally divided, the chairman voted in the affirmative; which report he read in his place, and delivered the bill, amendments and clauſes in at the table, where the ſame were again read and agreed to by the Houſe.

*Ordered*, That the bill be engroſſed.

Mr. Swartwout from the committee of the whole Houſe on the bill entitled "An act for the payment of certain officers of government," reported, that in proceeding in the ſaid bill, and after the ſame had been read in the committee, a clauſe thereof was again read, and is in the words following, viz.

And be it further enacted, That the Treaſurer ſhall pay unto Loring Andrews, printer to the ſtate, ſuch ſums of money as ſhall be certified by the Comptroller to be due him for printing the laws and journals of the preſent ſeſſion of the Legſlature, and ſuch other printing as has been or may be done by him, agreeable to a contract made with him by the Comptroller in purſuance of concurrent reſolutions, paſſed the 13th and 15th of January, 1798.

That Mr. M'Neil made a motion that the committee ſhould agree to ſubſtitute the following in lieu of the ſaid clauſe, viz.

And be it further enacted, That the Treaſurer ſhall pay unto Loring Andrews, printer to this ſtate, ſuch ſums of money as ſhall be certified by the Comptroller to be due him for printing the laws and journals of the preſent ſeſſion of the Legiſlature, and after the ſame rate per ſheet for ſuch other printing as has been or may be done by him by order of either Houſe of the Legiſlature, as he is entitled to receive for the printing of the laws and journals of this ſtate, agreeable to a contract made with him by the Comptroller, in purſuance of concurrent reſolutions paſſed the 13th and 15th days of January, 1798.

That the queſtion having been put on the motion of Mr. M'Niel, it paſſed in the negative. That the yeas and nays were called for by Mr. Peck, ſeconded by Mr. Arcularius, and were as follows, viz.

*For the Negative.*

| | | | |
|---|---|---|---|
| Mr. Abeel | Mr. De Witt | Mr. C. Lanſingh | Mr. A. Smith |
| Mr. Adams | Mr. Dodge | Mr. J. Lanſingh | Mr. H. Smith |
| Mr. Adgate | Mr. Doty | Mr. Lefevre | Mr. John Smith |
| Mr. Adriance | Mr. Fairlie | Mr. Lott | Mr. John M. Smith |
| Mr. Arcularius | Mr. Floyd | Mr. M'Intyre | Mr. Joſhua Smith |
| Mr. Baldwin | Mr. Fort | Mr. Micheau | Mr. Snell |
| Mr. Blake | Mr. Gates | Mr. Moore | Mr. Storm |
| Mr. Boyd | Mr. German | Mr. E. Mott | Mr. Swart |
| Mr. Bruyn | Mr. B. Gilbert | Mr. W. Mott | Mr. Tabor |
| Mr. Burling | Mr. Gray | Mr. Nexen | Mr. Teed |
| Mr. Burt | Mr. Hall | Mr. Paine | Mr. S. Ten Broeck |
| Mr. Clark | Mr. Heermance | Mr. Pauling | Mr. Thomas |
| Mr. Clift | Mr. Henry | Mr. Pearce | Mr. Van Benthuyſen |
| Mr. Coe | Mr. Hogeboom | Mr. Peck | Mr. Van Renſſelaer |
| Mr. Comſtock | Mr. Honeywell | Mr. Robins | Mr. Veeder |
| Mr. Corl | Mr. Hopkins | Mr. Root | Mr. Voorhis |
| Mr. Crocker | Mr. Hunt | Mr. Savage | Mr. Waren |
| Mr. Cummings | Mr. Johnſon | Mr. Schuneman | Mr. Weſtcott |
| Mr. Deitz | Mr. King | Mr. Skidmore | Mr. Wolfe 77 |
| Mr. Dewey | | | |

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Mr. Barker | Mr. J. M'Kinſtry | Mr. Reynolds | Mr. Shurtleff |
| Mr. Campbell | Mr. M'Neil | Mr. Schermerhorn | Mr. Philip Smith |
| Mr. Furman | Mr. Prevoſt | Mr. Schuyler | Mr. Speaker 13 |
| Mr. C. M'Kinſtry. | | | |

That Mr. Farlie made a motion for a clauſe to be added in the words following, viz.

And be it further enacted, That the Treaſurer ſhall pay to the Preſident of the Senate and to the Speaker of the Houſe of Aſſembly, at and after the rate of per day for each days attendance, and to each member of the Senate and Aſſembly, the ſum of per day for each days attendance at the preſent ſeſſions, and for travelling at the rate of miles per day, which ſaid ſums ſhall be paid in addition to the ſums allowed in and by the act entitled "An act for the ſupport of government."

That debates were had, and the queſtion having been put thereon, it was carried in the affirmative. That the yeas and nays were called for by Mr. Peck, ſeconded by Mr. Hopkins, and were as follows, viz.

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Mr. Adgate | Mr. Fairlie | Mr. C. Lanſingh | Mr. Reynolds |
| Mr. Arcularius | Mr. Furman | Mr. J Lanſingh | Mr. Robins |
| Mr. Barker | Mr. Gates | Mr. Lott | Mr. Schuneman |
| Mr. Bill | Mr. German | Mr. M'Intyre | Mr. Schuyler |
| Mr. Bruyn | Mr. B. Gilbert | Mr. J. M'Kinſtry | Mr. Shurtleff |
| Mr. Burling | Mr. Hall | Mr. M'Neil | Mr. H. Smith |
| Mr. Campbell | Mr. Heermance | Mr. Micheau | Mr. John M. Smith |
| Mr. Clift | Mr. Henry | Mr. E. Mott | Mr. Speaker |
| Mr. Coe | Mr. Hoag | Mr. Nexen | Mr. Storm |
| Mr. Cummings | Mr. Honeywell | Mr. Paine | Mr. S. Ten Broeck |
| Mr. Dewey | Mr. Hunt | Mr. Pauling | Mr. Van Renſelaer |
| Mr. De Witt | Mr. Kane | Mr. Prevoſt | Mr. Wolfe 30 |
| Mr. Dodge | Mr. King | | |

*For the Negative.*

| | | | |
|---|---|---|---|
| Mr. Adams | Mr. Fort | Mr. Peck | Mr. Snell |
| Mr. Adriance | Mr. E. Gilbert | Mr. Philips | Mr. Swart |
| Mr. Baldwin | Mr. Gray | Mr. Root | Mr. Tabor |
| Mr. Blake | Mr. Hogeboom | Mr, Savage | Mr. Teed |
| Mr. Boyd | Mr. Hopkins | Mr. Schermerhorn | Mr. Thomas |
| Mr. Burt | Mr. Johnſon | Mr. Skidmore | Mr. Van Benthuyſen |
| Mr. Comſtock | Mr. C. M'Kinſtry | Mr. A. Smith | Mr. Veeder |
| Mr. Corl | Mr. Moore | Mr. John Smith | Mr. Voorhis |
| Mr. Crocker | Mr. W. Mott | Mr. Joſhua Smith | Mr. Waren |
| Mr. Deitz | Mr. Pearce | Mr. Philip Smith | Mr. Weſtcott 42 |
| Mr. Floyd | | | |

That Mr. Farlie then made a motion for a clauſe to be added in the words following, viz.

And be it further enacted, That from the firſt day of July laſt to the firſt day of July next, there ſhall be allowed to the ſeveral officers of government hereafter mentioned, in addition to the annual ſalaries now allowed them reſpectively, in and by the act entitled "An act for the ſupport of government," the following ſums, to wit, to the Governor or perſon adminiſtering the government of this ſtate
to the Chancellor to the Chief Juſtice and each of the other Juſtices of the Supreme Court to the Secretary of the State

That debates were had, and the queſtion having been put thereon, it paſſed in the negative. That the yeas and nays being called for by Mr. Peck, ſeconded by Mr. Van Benthuyſen, were as follows, viz.

*For the Negative.*

| | | | |
|---|---|---|---|
| Mr. Abeel | Mr. Deitz | Mr. Moore | Mr. John Smith |
| Mr. Adams | Mr. Dewey | Mr. E. Mott | Mr. Joſhua Smith |
| Mr. Adriance | Mr. Dodge | Mr. W. Mott | Mr. Snell |
| Mr. Baldwin | Mr. Floyd | Mr. Pearce | Mr. Swart |
| Mr. Blake | Mr. Fort | Mr. Peck | Mr. Tabor |
| Mr. Boyd | Mr. E. Gilbert | Mr. Philips | Mr. Teed |
| Mr. Bruyn | Mr. Gray | Mr. Root | Mr. S. Ten Broeck |
| Mr. Burt | Mr. Hogeboom | Mr. Savage | Mr. Thomas |
| Mr. Clark | Mr. Hopkins | Mr. Schermerhorn | Mr. Van Benthuyſen |
| Mr. Clift | Mr. Johnſon | Mr. Schuneman | Mr. Veeder |
| Mr. Comſtock | Mr. C. Lanſingh | Mr. Skidmore | Mr. Waren |
| Mr. Corl | Mr. M'Intyre | Mr. A. Smith. | Mr. Weſtcott 59 |
| Mr. Crocker | Mr. C. M'Kinſtry | | |

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Mr. Arcularius | Mr. Gates | Mr. J. Lanſingh | Mr. Robins |
| Mr. Barker | Mr. German | Mr. Lott | Mr. Schuyler |
| Mr. Bill | Mr. B. Gilbert | Mr. J. M'Kinſtry | Mr. Shurtleff |
| Mr. Burling | Mr. Hall | Mr. M'Neil | Mr. John M. Smith |
| Mr. Campbell | Mr. Heermance | Mr. Micheau | Mr. Philip Smith |
| Mr. Coe | Mr. Henry | Mr. Oſtrom | Mr. Speaker |
| Mr. Cummings | Mr. Hoag | Mr. Paine | Mr. Storm |
| Mr. De Witt | Mr. Hunt | Mr. Pauling | Mr. Van Renſſelaer |
| Mr. Fairlie | Mr. Kane | Mr. Prevoſt | Mr. Wolfe |
| Mr. Furman | Mr. King | Mr. Reynolds | |

Mr. Swartwout reported further progreſs, and obtained leave to ſit again.

*Reſolved*, That this Houſe will to-morrow again reſolve itſelf into a committee the whole Houſe on the ſaid bill.

Mr. Shurtleff from the committee appointed for that purpoſe, brought in cording to order a bill entitled "An act for the relief of purchaſers of lands in late Onieda, Onondaga and Cayuga reſervations," which was read the firſt ti and ordered a ſecond reading.

Mr. Bill from the committee of the whole Houſe, on the bill entitled "An for the relief of James Bloodgood," reported, that the committee had gone throu the bill and agreed to the ſame without amendment, which he was directed to rep to the Houſe; and he read the report in his place, and delivered the bill in at table, where the ſame was again read and agreed to by the Houſe, and ordered third reading to-morrow.

*Ordered*, That the committee of the whole Houſe be diſcharged from the furt conſideration of the bill entitled "An act for granting an additional term of court of common pleas for the county of Waſhington, and extending the time li ited for the continuance of the court of general ſeſſions of the peace in Novem term in ſaid county;" and that the ſame be committed to the members attend this Houſe from the county of Waſhington.

Mr. Dewey from the committee of the whole Houſe, on the meſſage of his E cellency the Governor of the 5th ult. reported, that the committee had agreed t reſolution in the words following, viz.

*Reſolved*, as the ſenſe of this committee, that a committee be appointed to t into conſideration the meſſage of his Excellency the Governor of the 5th of F bruary laſt paſt, and the papers accompanying the ſame, and that they rep thereon to the Houſe by bill or otherwiſe, which he was directed to report to Houſe; and he read the report in his place, and delivered the ſame in at the ta where it was again read and agreed to by the Houſe. Thereupon,

*Reſolved*, That a committee be appointed to take into conſideration the meſſ of his Excellency the Governor of the 5th of February laſt paſt, and the papers companying the ſame, and that they report to the Houſe by bill or otherwiſe; that Mr. Nexen, Mr. Storm and Mr. Furman, be of the ſaid committee.

Mr. Philip Smith from the committee appointed to conſider and report whet any, and if any, what alterations are neceſſary to be made in the act for the m ſpeedy recovery of debts to the value of ten pounds, reported, that in the opin of the committee, ſome material amendments are neceſſary; but that as the num of amendments heretofore made to the ſaid act, and the alterations now deem neceſſary would render the ſame complex and confuſed, the committee have thou it expedient to report a new bill, which they have directed him to move for le to bring in. Leave being given, Mr. Smith brought in the ſaid bill entitled " act for the more ſpeedy recovery of debts to the value of dollars," which read the firſt time and ordered a ſecond reading.

Then the Houſe adjourned until ten o'clock to-morrow morning.

THURSDAY, *ten o'clock, A. M. March 14th*, 1799.

The engroſſed bill entitled "An act to erect a town in Clinton county," read the third time.

*Reſolved*, That the bill do paſs.

*Ordered*. That Mr. Adams and Mr. Ad[illegible]ate deliver the bill to the Hon. the Sen and requeſt their concurrene.

The bill entitled "An act for the relief of James Bloodgood," was read the third time.

*Resolved*, That the bill do pass.

*Ordered*, That Mr. Adams and Mr. Adgate deliver the bill to the Hon. the Senate and inform them that this House have passed the bill without amendment.

The bill entitled "An act to prevent dissipated persons from spending their estates," the bill entitled "An act for the relief of purchasers of land in the late Oneida, Onondaga and Cayuga reservations," the bill entitled "An act for the relief of Archibald Campbell," and the bill entitled "An act for the more speedy recovery of debts to the value of dollars," were severally read the second time and committed to a committee of the whole House.

A petition of David Ramsey and others, inhabitants of the counties of Saratoga and Albany, relative to the act for regulating highways as far as the same respects waggons, was read and ordered to lie on the table for the information of the members.

A petition of John J. Cantine was read and committed to the committee of the whole House when on the bill entitled "An act for the relief of purchasers of lands in the late Oneida, Onondaga and Cayuga reservations."

A petition of Peter Van Orden and others, inhabitants of the counties of Delaware and Ulster, relative to a road and bridge, was read and referred to Mr. Root, Mr. Lefevre and Mr. Peck.

A memorial of Samuel Bowne and others, of Jacob Mark and others, of Cornelius Ray and others, and of Malcolm Campbell and others, were severally read and referred to the members attending this House from the city and county of New-York.

A petition of Benjamin Wilson, relative to a location for two hundred acres of land at Fort-Hunter, in the county of Montgomery, was read and referred to the Surveyor-General to report thereon.

The Attorney-General to whom was referred the petitions of Sampson Simson and Henry Remsen, and of Elijah Hunter and William Street, reported, That the nature and extent of the grants of gold and silver mines, situate in the former manor of Philipsburgh, as the same are set forth in the said memorial, are correct, and that the material allegations therein contained, appear to be supported by the documents accompanying the said memorial. The memorialists pray that the Legislature will grant to them a right of working the said gold and silver mines, and all *other mines and minerals* on the aforesaid manor, for and during the term of ninety-nine years, they paying to the state one twentieth *dish* or part of the nett proceeds thereof, being the proportion reserved to the king of Great-Britain in the letters patent mentioned in their said memorial, and on their relinquishing the right to cut wood and timber for the use of the said mines, as granted by the lease of Frederick Philipse, and on *their* compensating for any injury they may occasion to the proprietors of the soil in working of the said mines.

The memorialists present to the Legislature certain equitable considerations, on which they predicate their claim to the proposed grant. It is first stated, that the discovery of the mine, which appears to be the immediate object of the application, was made by persons, or by the associates of individuals whom they now represent, and that very large sums of money were heretofore expended in the working of the said mine, and that such expenses were chiefly sustained by Sampson Simson, who was the brother *and* co-partner of the said Solomon Simson, and by Henry Remsen, who was the father of the other memorialist, and who were two of the original associates named in the lease from Frederick Philipse, and that the rest of the associates are dead, or reside in Great-Britain, except Charles M'Evers, who resides in the city of New-York. It is, secondly, alledged, that the utensils and materials provided for working of the said mines, were, during the late war between Great-Britain and the United States, appropriated, under the authority of this state, to public uses, and that no compensation has ever been made for the same: and, thirdly, it is suggested that by the events of the war no benefit could accrue to the proprietors during the term of the first lease, and that a renewal of the same, according to the stipulations thereof, could not be obtained, by reason of the attainder of Frederick Philipse, but as soon as circumstances would admit, a claim for *such renewal* was preferred to

the Legiſlature of this ſtate. On *theſe principles* the application of the memorialiſts muſt be conſidered as addreſſed to the juſtice and diſcretion of the Legiſlature, and, in this view of the queſtion, it can only be proper for the Attorney-General to ſtate, that from the papers exhibited to him, and now ſubmitted with this report, he is perſuaded of the truth of *theſe* allegations.

The petition of Elijah Hunter and William Street repreſents, that they are the owners of the lands whereon the mine above alluded to is ſituated, and that Elijah Hunter, one of the petitioners, is, by purchaſe, poſſeſſed of that part of the ſaid lands on which the ſtamping-mill was erected, and that a griſt-mill erected thereon by him, is ſupplied with water from a ſtream formerly uſed by the ſaid ſtamping-mill; that the ſaid Elijah Hunter has conveyed with warranty to the other petitioner, that part of the ſaid lands on which the ſaid mine was opened and worked. The petitioners ſtate, that it is not their wiſh to impede the opening and working of the ſaid mine, by Solomon Simſon and Henry Remſen, if, previous to any operations therein, they, in a legal manner, acknowledge the right of the petitioners, of, and in the lands and privileges appurtenant thereto; and they pray that the Legiſlature will not grant the prayer of the memorial of Solomon Simſon and Henry Remſen, *ſo far* as it will in any manner interfere with the lands and privileges of the petitioners, without the hearing of counſel in their behalf.

The requeſt of Elijah Hunter and William Street appears to be reaſonable, and if it ſhould be judged adviſable to grant the application of Solomon Simſon and Henry Remſen, great care ought to be taken to ſave all the legal rights of the ſaid petitioners. By the fifth ſection of the act entitled "An act relative to mines," paſſed 6th February, 1789, it is provided "That nothing in the ſaid act contained ſhall be conſtrued to give to any perſon a right to dig or break up the ſoil or ground of any perſon or perſons, bodies corporate or politic, or of the people of this ſtate, or to work any mine in the ſame unleſs the conſent of the owner or owners of ſuch ſoil or ground is for that purpoſe previouſly obtained." If a proviſo of a ſimilar nature and extending alſo to privileges now enjoyed, is adopted in the propoſed bill, it would, in the opinion of the Attorney-General, protect all the legal rights as well of the ſaid Elijah Hunter and William Street, as of all other perſons who might otherwiſe be affected by ſuch law.

As connected with the ſubject of the preſent application, the Attorney-General further ſtates, that by the firſt ſection of the above mentioned act, it is enacted "That any perſon who heretofore has or hereafter ſhall make diſcovery of any mine or mines of gold or ſilver within this ſtate, and the executors, adminiſtrators or aſſigns of ſuch perſons ſhall be and hereby is and are exempted, acquitted, releaſed and diſcharged of and from paying or yielding to the people of this ſtate as ſovereign thereof, or to any commiſſioner, agent, receiver or collector for their uſe, any part, ſhare, portion or dividend whatſoever of the ore, produce or profit of ſuch mine or mines for and during and until the full end and term of twenty-one years, to be computed as is directed by the ſaid act." The memorialiſts do not appear to be perſons *ſtrictly* within the deſcription of the ſaid act, and they not having been *perſonally* the firſt diſcoverers of the ſaid mine, nor "the executors, adminiſtrators or aſſigns" of ſuch perſons, cannot avail themſelves of the benefits intended by the ſaid recited ſtatute; beſides, their object is to obtain a grant of the ſaid mines beyond the *ordinary* period preſcribed in the ſaid law, and as an additional inducement for ſuch grant, they offer *one-twentieth diſh or part* of the proceeds of all the mines they may diſcover and work in purſuance of ſaid law.

By the independence of the United States, the ſtate of New-York became veſted with all gold and ſilver mines within its limits, not before granted by the king of Great-Britain; and, by the attainder of Frederick Philipſe, his intereſt to ſuch mines ſituate within the manor of Philipſburgh, as theretofore granted to him, became forfeited to the people of this ſtate, and the ſame never having been transferred, remains unimpaired. The commiſſioners of forfeitures had no authority to diſpoſe of gold and ſilver mines; and, as it is a principle of law that *royalties*, as *they* were formerly deſignated, can only paſs by expreſs words in a grant, their conveyances do not legally import any ſuch diſpoſition: the right therefore, to all gold and ſilver mines within this ſtate continues in the people thereof, notwithſtanding any conveyance of the right of ſoil made by the commiſſioners of forfeitures.

The Attorney-General has endeavoured to bring into view, the merits of the present applications; and has conceived it his duty to ſubmit to the Hon. the Houſe of Aſſembly, ſuch obſervations as appeared to him connected with the ſubject. The right of the memorialiſts' not depending on legal principles, he forbears to offer any opinion as to the propriety of allowing the ſame, except to remark, that the prayer of the memorial, *as far as relates to gold and ſilver mines, only* may, under the modifications above ſuggeſted, be granted without any infringement on the rights of private property.

All which is reſpectfully ſubmitted.

JOS. OGDEN HOFFMAN, Attorney-General.

ALBANY, 14*th March*, 1799.

*Ordered*, That the ſaid report and petitions be referred to Mr. Prevoſt, Mr. King and Mr. Kane.

Mr. Prevoſt from the committee to whom was referred the petition of James Pine, with the report of the Attorney-General thereon, reported, That it appears that the equity of redemption of the premiſes mentioned in the petition is veſted in the people of this ſtate. That the petitioner is aſſignee of a mortgage given thereon by Thomas Merrit prior to the forfeiture thereof, and that the petitioner hath been in the poſſeſſion of the ſame ſince the year 1784. The committee are therefore of opinion that the Surveyor-General be directed to have the equity of redemption thereof appraiſed, and to convey the title thereto to the ſaid petitioner upon his paying into the treaſury of this ſtate the amount of ſuch appraiſement, deducting therefrom ſuch ſums as may be found to be due him from the eſtate of the ſaid Thomas Merrit by one of the maſters in chancery in the city of New-York, to be regulated upon the principles eſtabliſhed in that court, and that the committee have directed him to aſk for leave to bring in a bill to that effect.

*Ordered*, That leave be given accordingly.

Mr. Crocker from the committee to whom was referred the petition of David Mitchell and others, reported in favour of the petitioners, and obtained leave to bring in a clauſe to be added to the bill entitled "An act to divide the town of Thurman."

Mr. Hopkins from the committee to whom was referred the petition of Thomas Wilſon, reported in favour of the petitioner, and obtained leave to bring in a clauſe to be added to the bill entitled "An act for the relief of William Lighthall."

Mr. Peck purſuant to notice by him for that purpoſe heretofore given, moved for and obtained leave to bring in a bill entitled "An act relative to an arſenal in the city of Albany," which was read the firſt time, and on the queſtion whether the bill ſhould be ordered a ſecond reading, the ſame paſſed in the negative. The yeas and nays being called for by Mr. Dewey, ſeconded by Mr. John M. Smith, were as follows, viz.

*For the Negative.*

| | | | |
|---|---|---|---|
| Mr. Barker | Mr. Gates | Mr. J. M'Kinſtry | Mr. Robins |
| Mr. Bill | Mr. German | Mr. M'Neil | Mr. Savage |
| Mr. Burr | Mr. E. Gilbert | Mr. Micheau | Mr. Schuyler |
| Mr. Clift | Mr. Gray | Mr. E. Mott | Mr. Shurtleff |
| Mr. Coe | Mr. Hall | Mr. W. Mott | Mr. Skidmore |
| Mr. Crocker | Mr. Henry | Mr. Nexen | Mr. John M. Smith |
| Mr. Cummings | Mr. Hopkins | Mr. Oſtrom | Mr. Philip Smith |
| Mr. Deitz | Mr. Hunt | Mr. Paine | Mr. Swart |
| Mr. Dewey | Mr. Kane | Mr. Pauling | Mr. Teed |
| Mr. De Witt | Mr. C. Lanſingh | Mr. Pearce | Mr. Van Renſſelaer |
| Mr. Doty | Mr. J. Lanſingh | Mr. Philips | Mr. Voorhis |
| Mr. Fairlie | Mr. Lefevre | Mr. Prevoſt | Mr. Weſtcott |
| Mr. Fort | Mr. Lott | Mr. Reynolds | Mr. Wolfe 54 |
| Mr. French | Mr. C. M'Kinſtry | | |

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Mr. Abeel | Mr. Clark | Mr. M'Intyre | Mr. Snell |
| Mr. Adams | Mr. Comſtock | Mr. Moore | Mr. Storm |
| Mr. Adgate | Mr. Corl | Mr. Peck | Mr. Swartwout |
| Mr. Adriance | Mr. Dodge | Mr. Root | Mr. Tabor |
| Mr. Arcularius | Mr. Floyd | Mr. Schermerhorn | Mr. S. Ten Broeck |
| Mr. Blake | Mr. Furman | Mr. Schuneman | Mr. Thomas |
| Mr. Boyd | Mr. B. Gilbert | Mr. A. Smith | Mr. Van Benthuyſen |
| Mr. Bruyn | Mr. Hogeboom | Mr. H. Smith | Mr. Veeder |
| Mr. Burling | Mr. Honeywell | Mr. John Smith | Mr. Waren |
| Mr. Burt | Mr. Johnſon | Mr. Joſhua Smith | 39 |

Mr. Hopkins from the committee to whom was committed the bill entitled "An act to divide the town of Thurman," reported, that the committee had gone thro' the bill, made amendments and added clauſes, which he was directed to report to the Houſe, and he read the report in his place and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

*Ordered*, That the amendments be engroſſed.

Mr. Hopkins from the committee to whom was committed the bill entitled "An act to eſtabliſh a turnpike corporation for improving the road from the village of Lanſingburgh through Cambridge and Salem to the houſe now occupied by Hezekiah Leaving in the town of Granville, and alſo from the houſe of John Faulkner, jun. in Salem to the line of Ruport in the ſtate of Vermont, near the houſe of William Brown, reported, that the committee had gone through the bill, made amendments and agreed to the ſame, which he was directed to report to the Houſe, and he read the report in his place and delivered the bill and amendments in at the table, where they were again read and agreed to by the Houſe.

*Ordered*, That the bill be engroſſed.

Mr. Philip Smith from the committee to whom was committed the bill entitled "An act for the relief of the inhabitants of the town of Eaſton," reported, that the committee had gone through the bill, made amendments and agreed to the ſame, which he was directed to report to the Houſe, and he read the report in his place and delivered the bill in at the table, where it was again read and agreed to by the Houſe.

*Ordered*, That the bill be engroſſed.

Mr. Burr from the committee to whom was committed the bill entitled "An act to inveſt the mayor, aldermen and commonalty of the city of New-York with adequate powers in relation to certain objects of importance to the health of the ſaid city," reported, that the committee had gone through the bill, made amendments, added clauſes and altered the title; that the altered title is "An act in relation to certain objects of importance to the health of the city of New-York," which he was directed to report to the Houſe; and he read the report in his place, and delivered the bill and amendments in at the table, where they were again read and agreed to by the Houſe.

*Ordered*, That the amendments be engroſſed.

Mr. Shurtleff from the committee to whom was referred the petition of Sarah M'Ginnis and Rachael Walmſley, together with the report of the Surveyor-General thereon, reported, that the petitioners ſtate, that the property of their father, Robert M'Ginnis, at an advanced period in the late war was confiſcated, and part thereof actually ſold in conſequence of his being convicted of adhering to the enemies of this ſtate; that it appears, by the certificate of a number of very reſpectable characters, that the ſaid Robert never did take an active part againſt this country: the certificate alſo ſtates, that the ſaid Robert was a man of a peaceable, quiet and pacific turn of mind, and was generally ſo eſteemed by all his acquaintance; that in the year 1781 or 2, lots No. 60 and 62, in Banyar and Wallaces patent, on the Suſquehannah, were likewiſe confiſcated by virtue of ſuch conviction; that the ſaid lots were located on by Thomas Palmer, then reſident at Newburgh, in Ulſter county; that the ſaid lots were appraiſed at 5s. per acre by the commiſſioners of forfeitures; that owing to the neglect or refuſal of the ſaid Thomas Palmer, the terms of ſaid location have never been complied with, and the ſaid two lots are conſequently unappropriated and ſtill remain at the diſpoſal of the ſtate; that theſe circumſtances,

together with other favorable ones, are recognized in the report of the Surveyor-General on this ſubject. The petitioners pray that the Legiſlature will veſt in them ſuch of the property of the ſaid Robert as was confiſcated and remains ſtill unappropriated. The committee are of opinion, from the conſideration of all the circumſtances, that the right, title and intereſt of the people of this ſtate, of, in and to the property aforeſaid, ought to be veſted in the petitioners on their paying the ſum at which the ſaid two lots were appraiſed as aforeſaid; they have prepared a bill for that purpoſe and have directed him to aſk for leave to bring in the ſame. Leave being given, Mr. Shurtleff brought in the ſaid bill entitled "An act to veſt certain lands in Sarah M'Ginnis and Rachel Walmſley," which was read the firſt time and ordered a ſecond reading.

Mr. Dewey from the committee to whom was committed the bill entitled "An act to amend an act entitled "An act for regulating elections," reported, that the committee had gone through the bill, made amendments, added a clauſe and agreed to the ſame, which he was directed to report to the Houſe, and he read the report in his place and delivered the bill and amendments in at the table, where they were again read and agreed to by the Houſe.

*Ordered*, That the bill be engroſſed.

A petition of ſundry inhabitants of the county of Weſtcheſter, relative to the ſhad fiſhery, was read and committed to the committee of the whole Houſe when on the bill entitled "An act relative to the putting up pickled fiſh, and to prevent the ſetting of nets in certain parts of the Hudſon river, and for other purpoſes."

Mr. Nexen from the committee to whom was committed the bill entitled "An act for the better ſettlement and relief of the poor in the city of New-York," reported, that the committee had gone through the bill and agreed to the ſame without amendment, which report he read in his place, and delivered the bill in at the table, where the ſame was again read and agreed to by the Houſe.

*Ordered*, That the bill be engroſſed.

*Reſolved*, That this Houſe will, to-morrow, reſolve itſelf into a committee of the whole houſe on the bill entitled "An act for the more ſpeedy recovery of debts to the value of dollars."

Mr. Philip Smith, purſuant to notice heretofore given, moved a reſolution which was read and agreed to by the Houſe, and is in the words following, viz.

*Reſolved*, (if the Hon. the Senate concur herein) That a joint committee of both Houſes be appointed to take into conſideration the report of the ſuperintendant of the ſalt ſprings, and to enquire and report whether any and what further proviſions are neceſſary relative to them; and in caſe of ſuch concurrence, that Mr. Philip Smith, Mr. Paine, Mr. M'Neil, Mr. Adams and Mr. Baldwin be of the ſaid committee on the part of this Houſe.

*Ordered*, That Mr. Adgate and Mr. Arcularius deliver a copy of the preceding reſolution to the Hon. the Senate.

*Ordered*, That the conſideration of the report of the committee relative to ſales of real eſtates on executions be poſtponed until the firſt Tueſday in April next.

A meſſage from the Hon. the Senate, delivered by Mr. Thompſon and Mr. Tillotſon, with the bill and amendments therein mentioned, was read, that the Senate have paſſed the bill entitled "An act to divide the town of Mexico in the county of Oneida," with the amendments therewith delivered. The bill and amendments were read, and the amendments having been read the ſecond time, were concurred in by the Houſe and the bill ordered to be amended accordingly.

A meſſage from the Hon. the Senate alſo delivered by Mr. Thompſon and Mr. Tillotſon, with the bill and amendments therein mentioned was read, that the Senate have paſſed the bill entitled "An act to annex part of the town of Jericho, in the county of Chenango, to the town of Green in ſaid county," with the amendments therewith delivered. The bill and amendments were read; one of the amendments was to add to the title, "*and alter the diviſion line between the towns of Colbelzkill and Sharon, in the county of Schoharie;*" and the amendments having been read the ſecond time, were concurred in by the Houſe, and the bill ordered to be amended accordingly.

*Ordered*, That Mr. Adriance and Mr. Baldwin, deliver the two laſt mentioned bills to the Hon. the Senate, and inform them that this Houſe have concurred in their amendments to the ſaid bills reſpectively, and have amended the ſame accordingly.

The Hon. the Senate returned by Mr. Thompſon and Mr. Tillotſon, the bill entitled "An act to eſtabliſh a turnpike corporation for improving the ſtate road from the houſe of John Weaver in Watervliet, to Cherry-Valley, and to repeal the act therein mentioned," and the bill entitled "An act for the diſpoſal of certain timber for the purpoſe of erecting a bridge over the Schoharie kill."

*Ordered*, That Mr. Baldwin and Mr. Barker, deliver the ſaid two bills to the Hon. the Council of Reviſion.

Mr. Thomas from the committee of the whole Houſe, on the bill entitled "An an to erect a part of the counties of Albany and Ulſter, into a ſeparate county by the name of ," reported, that in proceeding in the ſaid bill, and after the ſame had been read through in the committee, Mr. Speaker made a motion that the committee ſhould agree to reject the ſame; that debates were had, and the queſtion having been put thereon, it paſſed in the negative. That the yeas and nays were called for by Mr. Speaker, ſeconded by Mr. Heermance, and were as follows, viz.

*For the Negative.*

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|---|---|---|---|
| Mr. Abeel | Mr. Comſtock | Mr. J. M'Kinſtry | Mr. A. Smith |
| Mr. Adams | Mr. Crocker | Mr. M'Neil | Mr. H. Smith |
| Mr. Adgate | Mr. Fairlie | Mr. E. Mott | Mr. John Smith |
| Mr. Adriance | Mr. Floyd | Mr. W. Mott | Mr. Joſhua Smith |
| Mr. Arcularius | Mr. German | Mr. Nexen | Mr. Snell |
| Mr. Baldwin | Mr. E. Gilbert | Mr. Paine | Mr. Storm |
| Mr. Barker | Mr. Hall | Mr. Peck | Mr. Swart |
| Mr. Blake | Mr. Hogeboom | Mr. Prevoſt | Mr. Swartwout |
| Mr. Boyd | Mr. Honeywell | Mr. Robins | Mr. Tabor |
| Mr. Burling | Mr. Hopkins | Mr. Root | Mr. Veeder |
| Mr. Burr | Mr. Hunt | Mr. Savage | Mr. Waren |
| Mr. Burt | Mr. Johnſon | Mr. Schuneman | Mr. Weſtcott |
| Mr. Clark | Mr. M'Intye | Mr. Skidmore | Mr. Wolfe 54 |
| Mr. Coe | Mr. C. M'Kinſtry | | |

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Mr. Bill | Mr. Dodge | Mr. Gray | Mr. Pearce |
| Mr. Bruyn | Mr. Doty | Mr. Heermance | Mr. Philips |
| Mr. Clift | Mr. Fort | Mr. Kane | Mr. Schermerhorn |
| Mr. Corl | Mr. French | Mr. J. Lanſingh | Mr. Shurtleff |
| Mr. Cummings | Mr. Furman | Mr. Lefevre | Mr. Philip Smith |
| Mr. Deitz | Mr. Gates | Mr. Micheau | Mr. Speaker |
| Mr. Dewey | Mr. B. Gilbert | Mr. Oſtrom | Mr. Teed 29 |
| Mr. De Witt | | | |

That in proceeding to fill up the blank in that clauſe of the bill which directs the place of holding the courts in the propoſed county, a motion was made to inſert in the ſaid blank "*the houſe of Stephen Platt in the town of Freehold*;" that debates were had, and the queſtion being put thereon, it was carried in the affirmative. That the yeas and nays being called for by Mr. Schuneman, ſeconded by Mr. C. M'Kinſtry, were as follows, viz.

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Mr. Adgate | Mr. Dodge | Mr. Hopkins | Mr. Schermerhorn |
| Mr. Arcularius | Mr. Doty | Mr. Johnſon | Mr. Skidmore |
| Mr. Barker | Mr. Floyd | Mr. J. Lanſingh | Mr. A. Smith |
| Mr. Bill | Mr. Fort | Mr. Lefevre | Mr. H. Smith |
| Mr. Bruyn | Mr. French | Mr. M'Neil | Mr. John M. Smith |
| Mr. Burling | Mr. Furman | Mr. Micheau | Mr. Joſhua Smith |
| Mr. Clift | Mr. Gates | Mr. E. Mott | Mr. Speaker |
| Mr. Coe | Mr. German | Mr. Nexen | Mr. Tabor |
| Mr. Comſtock | Mr. B. Gilbert | Mr. Oſtrom | Mr. Teed |
| Mr. Corl | Mr. E. Gilbert | Mr. Pearce | Mr. S. Ten Broeck |
| Mr. Crocker | Mr. Gray | Mr. Philips | Mr. Veeder |
| Mr. Cummings | Mr. Hall | Mr. Reynolds | Mr. Waren |
| Mr. Deitz | Mr. Heermance | Mr. Root | Mr. Wolfe 45 |
| Mr. De Witt | Mr. Hogeboom | | |

*For the Negative.*

| | | | | |
|---|---|---|---|---|
| Mr. Abeel | Mr. Campbell | Mr. Paine | Mr. John Smith | |
| Mr. Adams | Mr. M'Intyre | Mr. Robins | Mr. Swart | |
| Mr. Baldwin | Mr. J. M'Kinstry | Mr. Savage | Mr. Swartwout | 15 |
| Mr. Burt | Mr. C. M'Kinstry | Mr. Schuneman | | |

Mr. Thomas reported further progress: Thereupon,

*Ordered*, That the committee of the whole House be discharged from the further consideration of the said bill, and that the same be committed to Mr. Barker, Mr. Hogeboom and Mr. Westcott.

The order of the day was further postponed until to-morrow.

Then the House adjourned until ten o'clock to-morrow morning.

FRIDAY, *ten o'clock, A. M. March 15th*, 1799.

The engrossed bill entitled "An act to amend the act entitled "An act for the better settlement and relief of the poor," was read the third time.

*Resolved*, That the bill do pass.

The engrossed bill entitled "An act further to amend the act entitled "An act to regulate highways," was read the third time.

A motion was made that the said bill should be recommitted. Mr. Speaker put the question on the said motion, and it passed in the negative. The yeas and nays being called for by Mr. W. Mott, seconded by Mr. Van Benthuysen, were as follows, viz.

*For the Negative.*

| | | | | |
|---|---|---|---|---|
| Mr. Abeel | Mr. Dodge | Mr. C. M'Kinstry | Mr. Schuyler | |
| Mr. Adams | Mr. Fairlie | Mr. J. M'Kinstry | Mr. Skidmore | |
| Mr. Adgate | Mr. Fort | Mr. Moore | Mr. A. Smith | |
| Mr. Adriance | Mr. Furman | Mr. E. Mott | Mr. H. Smith | |
| Mr. Arcularius | Mr. B. Gilbert | Mr. W. Mott | Mr. Philip Smith | |
| Mr. Baldwin | Mr. Gray | Mr. Noxen | Mr. Snell | |
| Mr. Barker | Mr. Heermance | Mr. Ostrom | Mr. Swart | |
| Mr. Bill | Mr. Henry | Mr. Paine | Mr. Tabor | |
| Mr. Bleecker | Mr. Hogeboom | Mr. Pearce | Mr. Teed | |
| Mr. Clift | Mr. Honeywell | Mr. Peck | Mr. S. Ten Broeck | |
| Mr. Crocker | Mr. Johnson | Mr. Root | Mr. Thomas | |
| Mr. Cummings | Mr. C. Lansingh | Mr. Savage | Mr. Van Benthuysen | |
| Mr. Deits | Mr. M'Intyre | Mr. Schuneman | Mr. Westcott | 54 |

*For the Affirmative.*

| | | | | |
|---|---|---|---|---|
| Mr. Boyd | Mr. De Witt | Mr. Lott | Mr. Shurtleff | |
| Mr. Bunyan | Mr. French | Mr. M'Neil | Mr. John Smith | |
| Mr. Burt | Mr. Gates | Mr. Micheau | Mr. John M. Smith | |
| Mr. Carpenter | Mr. E. Gilbert | Mr. Pauling | Mr. Joshua Smith | |
| Mr. Coe | Mr. Hall | Mr. Philips | Mr. Voorhis | |
| Mr. Cruttenden | Mr. Hunt | Mr. Prevoft | Mr. Waren | |
| Mr. Curl | Mr. J. Lansingh | Mr. Reynolds | Mr. Wolfe | 34 |
| Mr. Dewey | Mr. Lefevre | Mr. Robins | | |

Mr. Speaker then put the question whether the said bill should pass, and it was carried in the affirmative. Thereupon,

*Resolved*, That the bill do pass.

The bill entitled "An act to establish a turnpike corporation for improving the road from the village of Lansingburgh through Cambridge and Salem to the house now occupied by Hezekiah Leaving in the town of Granville, and also from the house of John Faulkner, jun. in Salem to the line of Ruport in the state of Vermont near the house of William Brown," was read the third time.

*Resolved*, That the bill do pass.

*Ordered*, That Mr. Adriance and Mr. Arcularius deliver the three last mentioned bills to the Hon. the Senate and request their concurrence to the said bills respectively.

The engrossed bill entitled "An act to abolish imprisonment for debts contracted after the first day of January, 1800," was read the third time, and the question on the passing thereof was postponed until Tuesday next.

The bill entitled "An act to invest the Mayor, Aldermen and Commonalty of the city of New-York with adequate powers in relation to certain objects of importance to the health of the said city," with the engrossed amendments, was read the third time.

*Resolved*, That the bill do pass.

The bill entitled "An act to divide the town of Thurman," with the engrossed amendments, was read the third time.

*Reſolved*, That the bill do paſs.

*Ordered*, That Mr. Adriance and Mr. Arcularius deliver the ſaid two bills, with their ſeveral amendments, to the Hon. the Senate, and inform them that this Houſe have paſſed the ſaid bills, with the amendments reſpectively delivered.

The bill entitled "An act to veſt certain lands in Sarah M'Ginnis and Rachel Walmſley," was read a ſecond time and committed to a committee of the whole Houſe.

A petition of John Engliſh and Mary Harding, relative to a certain tract of land in the county of Onondaga, was read and referred to the Surveyor-General to report thereon.

A repreſentation of the Surveyor-General was read, and is in the words following, viz.

*To the honorable the Legiſlature of the ſtate of New-York. The Surveyor-General reſpectfully reports,*

That by an act entitled "An act for the relief of Nathaniel Mallory and others," paſſed the 4th of March, 1795, and by an act to amend ſaid act, paſſed the 5th of April, 1798, he was directed to do certain ſervices, for the expenſe of which one hundred pounds was appropriated; that the ſaid ſervices have been performed as far as relates to the ſurveys directed to be made, and aſcertaining each perſon's right under ſaid acts; that owing to the perplexities into which this buſineſs has been involved by and between the concerned, the expenſes, notwithſtanding the greatest economy, have already exceeded the ſum appropriated by thirty-five dollars and forty-five cents, and the additional expenſes ſtill to be incurred by regiſtering mortgages, printing, blanks and ſtationary, will probably increaſe this deficiency to eighty dollars. The parties to whom grants are to be made, are, by the firſt mentioned act, not to pay, immediately, any of the expenſes which the ſtate has undertaken to defray for them, but it is directed to be included in the ſums for which they are to give their mortgages. This buſineſs will, therefore, require a further proviſion of about eighty dollars, or authority to require it of the concerned.

The money heretofore appropriated for the running and marking of county lines has been expended in that buſineſs to within a few dollars, as particularly ſtated to the Legiſlature in laſt year's ſeſſion.

The lines between Montgomery and Herkimer, from Springfield to the Little-Falls and thence to Nobleborough, have not been run. Several of the inhabitants of that quarter have applied to have it done, repreſenting the inconveniencies of having it as uncertain as it now is. The line between Saratoga and Montgomery, although of an ancient date, is ſaid to be uncertain and diſputed, and has been the cauſe of embarraſſments to the towns bordering on it.

It has not appeared to the Surveyor-General that the weſt bounds of the county of Schoharie have been run and marked according to the deſcription thereof in the laws. It is, therefore, difficult to locate them on a map. The towns in this county are deſcribed in ſuch a manner that it will be impoſſible to lay down the bounds of ſeveral of them on the ſtate map without having ſurveys of them.

The engraving of the map of the ſtate will commence in May or June next, and be continued till it is finiſhed. The diſburſements which this work will require before any returns from it can be expected, will be at leaſt three or four thouſand dollars; and the Surveyor-General finding the difficulty of borrowing money on legal intereſt, with the beſt ſecurity, to be ſuch, that he has no proſpect of obtaining any in that manner, is induced, though reluctantly, to apply to the Legiſlature for aſſiſtance. If the other concerns of the ſtate will not ſuffer by it, he would pray either for a law, or that the Comptroller may be authorized to advance money as it ſhall be actually expended, to be paid as ſoon as the ſales of the maps ſhall enable it to be done. It is believed that the diſtribution of maps to all the towns in the ſtate as is directed by law, will be a very heavy check on the ſales of the maps, and therefore a very ſerious drawback on the returns to be expected from them.

Every town in this ſtate will be actually delineated on the map if means be provided to obtain ſurveys of ſome of the towns which the Surveyor-General has not been able to obtain. It will yet be time next ſummer to get them on the map.

By an act of the Legislature (session 13. p. 59. sec. 8.) the secretary is directed to receive, on the issuing of every patent for military lots, one dollar, to be paid to the Surveyor-General as part of the expenses of surveying those lots. There are still remaining in the townships of Galen and Sterling, lately surveyed, lots unpatented, and since the greater part of these will probably never require to be patented under the same laws that the others have been, the Surveyor-General prays that the money which it was intended should thus come from the lots for the expense of surveying them may be paid by the state, and what hereafter may be received from the patentees by the Secretary to be paid into the Treasury. The deputies who have executed those services have found the whole allowance made by law but barely sufficient. All which is most respectfully submitted.

SIMEON DE WITT, Surveyor-General.

15th *March*, 1799.

*Ordered*, That the said representation be referred to Mr. Fairlie, Mr. Henry, Mr. Baldwin, Mr. Fort and Mr. Lefevre.

A petition of James Hanna, praying compensation for military services, was read and referred to Mr. John M. Smith, Mr. Pearce and Mr. Wolfe.

Three several messages from the Hon. the Senate, delivered by Mr. Tillotson and Mr. Vail, with the bills therein respectively mentioned, were read, that the Senate have passed the bill entitled "An act for continuing in force an act entitled "An act repealing an act entitled "An act for granting and securing to John Fitch the sole right and advantage of making and employing the steam boat by him lately invented, and for other purposes," and the bill entitled "An act relative to the counties of Ontario and Steuben," and requesting the concurrence of this House to the said bills respectively. The said bills were severally read the first time and ordered a second reading.

A copy of a resolution of the Hon. the Senate, also delivered by Mr. Tillotson and Mr. Vail, was read, that the Senate do concur with this House in their resolution relative to appointing a joint committee of both Houses to take into consideration the report of the superintendant of the salt springs, and that Mr. L'Hommedieu and Mr. Hitchcock be of the said committee on the part of the Senate.

*Ordered*, That Mr. Burling have leave of absence for the remainder of the session.

The Hon. the Senate returned, by Mr. Vail and Mr. Van Schoonhoven, the bill entitled "An act to divide the town of Mexico, in the county of Oneida," & the bill entitled "An act to annex part of the town of Jericho, in the county of Chenango, to the town of Green in said county, and to alter the division line between the towns of Cobelz-kill and Sharon, in the county of Schoharrie."

*Ordered*, That Mr. Baldwin and Mr. Barker deliver the said bills to the Hon. the Council of Revision.

The House proceeded to the further consideration of the amendments of the Hon. the Senate to the bill entitled "An act relative to the clerks office of the several counties of this state, and the examiner's and clerk's of the court of chancery." The amendments were again read; one of the amendments is to expunge a part of the second clause of the bill, which is in the following words, viz.

For filing every indictment or other paper, the sum of six cents; for entering every rule, the sum of twelve cents; calling every person on recognizance, the sum of six cents; entering every appearance or default, the sum of six cents; taking or respiting a recognizance, the sum of twelve cents; filing writ or receipt and entering return, the sum of twelve cents; for a venire or other precept, the sum of twenty-five cents; swearing each witness, the sum of six cents; calling a pannel and swearing a jury, the sum of eighteen cents; reading every paper given in evidence, the sum of six cents; swearing a constable, the sum of six cents; entering a verdict, the sum of twelve cents; entering judgment, the sum of twelve cents; entering defendant's plea, the sum of six cents; entering defendant's confession, the sum of six cents; discharging defendant by proclamation, the sum of twelve cents.

And to insert instead thereof the following, viz.

For entering an appearance twelve and an half cents, for a subpœna twenty-five cents, for entering an order or rule of court twenty cents, a copy of an order or rule of court twelve and an half cents, entering a nolo prosequi or cessat processus twen-

ty cents, reading and entering an allowance of a pardon twenty-five cents, ſwearing a witneſs ſix cents, reading every paper given in evidence twelve and an half cents, reſpiting a recognizance ſix cents, diſcharging a defendant by proclamation twelve and an half cents, entering a defendant's confeſſion twelve and an half cents, entering or filing defendant's plea twelve and an half cents, entering an imparlance twelve and an half cents, for taking recognizance thirty-ſeven and an half cents, entering relinquiſhment of plea twelve and an half cents, taking and entering verdict when for the defendant twenty cents, taking and entering ſpecial verdict, for each ſheet containing ſeventy-two words twenty cents, copies of records, indictments, informations and pleadings when required, for each ſheet containing ſeventy-two words, nine cents, and entering allowance of habeas corpus, writ of error or certiorari, and entering the ſame fifty cents.

Mr. Fairlie made a motion that the Houſe ſhould concur with the Hon. the Senate in their ſaid amendment, and the queſtion being put thereon, it paſſed in the negative. - The yeas and nays being called for by Mr. Fairlie, ſeconded by Mr. Root, were as follows, viz.

*For the Negative.*

| | | | |
|---|---|---|---|
| Mr. Abeel | Mr. Dodge | Mr. J. M'Kinſtry | Mr. H. Smith |
| Mr. Adams | Mr. Fort | Mr. Moore | Mr. John Smith |
| Mr. Adgate | Mr. Gates | Mr. E. Mott | Mr. Joſhua Smith |
| Mr. Adriance | Mr. German | Mr. W. Mott | Mr. Snell |
| Mr. Baldwin | Mr. B. Gilbert | Mr. Oſtrom | Mr. Swart |
| Mr. Boyd | Mr. E. Gilbert | Mr. Paine | Mr. Tabor |
| Mr. Burt | Mr. Heermance | Mr. Pauling | Mr. S. Ten Broeck |
| Mr. Clark | Mr. Hoag | Mr. Pearce | Mr. Thomas |
| Mr. Clift | Mr. Hogeboom | Mr. Peck | Mr. Van Benthuyſen |
| Mr. Coe | Mr. Johnſon | Mr. Philips | Mr. Van Renſſelaer |
| Mr. Comſtock | Mr. King | Mr. Root | Mr. Veeder |
| Mr. Crocker | Mr. C. Lanſingh | Mr. Savage | Mr. Voorhis |
| Mr. Cummings | Mr. Lefevre | Mr. Schuneman | Mr. Waren |
| Mr. Deitz | Mr. M'Intyre | Mr. Skidmore | Mr. Weſtcott 59 |
| Mr. Dewey | Mr. C. M'Kinſtry | Mr. A. Smith | |

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Mr. Arcularius | Mr. Furman | Mr. Lott | Mr. Shurtleff |
| Mr. Barker | Mr. Hall | Mr. M'Neil | Mr. John M. Smith |
| Mr. Bill | Mr. Honeywell | Mr. Micheau | Mr. Philip Smith |
| Mr. Doty | Mr. Hopkins | Mr. Nexen | Mr. Swartwout |
| Mr. Fairlie | Mr. Hunt | Mr. Robins | Mr. Teed |
| Mr. Floyd | Mr. J. Lanſingh | Mr. Schuyler | Mr. Wolfe 24 |

The other amendments were alſo then again read, and ſome of them were concurred in, and others not concurred in by the Houſe: Thereupon,

*Reſolved*, That this Houſe do concur with the Hon. the Senate in ſuch of their amendments to the ſaid bill which are for that purpoſe deſignated on the margin of the ſaid amendments, and do not concur in their other amendments.

*Ordered*, That Mr. Bill and Mr. Blake, deliver the bill, amendments and a copy of the preceding reſolutions to the Hon. the Senate.

*Reſolved*, (if the Hon. the Senate concur herein,) That the Legiſlature will adjourn on the 28th day of March inſtant.

*Ordered*, That Mr. Barker and Mr. Bill, deliver a copy of the preceding reſolution to the Hon. the Senate.

A petition of ſundry inhabitants of the city of Albany, praying an alteration in the charter of ſaid city, ſo far as reſpects the number of wards therein, was read and referred to the members attending this Houſe from the city and county of Albany.

A meſſage from the Hon. the Council of Reviſion, delivered by the Hon. Mr. Juſtice Benſon, was read,

That it does not appear improper to the council, that the bill entitled "An act for the relief of Nathan Wilſon and John Warford," the bill entitled "An act for the diſpoſal of certain timber for the purpoſe of erecting a bridge over the Schoharie creek," the bill entitled "An act to erect a town in the county of Clinton," the bill entitled "An act to eſtabliſh a turnpike corporation for improving the ſtate road from the houſe of John Weaver in Watervliet, to Cherry-Valley, and to repeal the

aft therein mentioned," the bill entitled "An act to divide the town of Mexico, in the county of Onieda," and the bill entitled "An act to annex part of the town of Jericho, in the county of Chenango, to the town of Green in ſaid county, and to alter the diviſion line between the towns of Cobelzkill and Sharon, in the county of Schoharie," ſhould reſpectively become laws of this ſtate.

*Reſolved*, That this Houſe will on Tueſday next reſolve itſelf into a committee of the whole Houſe, on the bill entitled "An act providing for the election of electors of a Preſident and Vice-Preſident of the United States."

Mr. Swartwout purſuant to notice by him for that purpoſe heretofore given, moved a reſolution in the words following:

*Reſolved*, (if the Hon. the Senate concur herein,) That a joint committee of the Senate and Aſſembly be appointed to draft a reſpectful addreſs to John Adams, Preſident of the United States, thanking him for his late patriotic appointment of three diſtinguiſhed citizens to treat with the Republic of France, for the amicable adjuſtment and ſettlement of all exiſting differences between the two nations; alſo aſſuring the Preſident that this Legiſlature have full confidence in the miſſion, and that they ſincerely believe the meaſure eminently calculated to preſerve and promote the true intereſt, honor and dignity of our national character and government, and that in caſe of ſuch concurrence be a committee on the part of this Houſe.

Mr. Reynolds as an amendment, then made a motion for a reſolution in the words following, viz.

Whereas this Houſe have received no official information that the appointment mentioned in the propoſed reſolution has been made by the Preſident; and if the ſame has been done, the reaſons that may have influenced the executive to the meaſures have not been made known: Therefore,

*Reſolved*, That the conſideration of ſaid reſolution be poſtponed until next.

Mr. Philip Smith as a further amendment, moved a reſolution in the words following, viz.

Whereas this Houſe have not before them all the documents and evidence which may have been communicated to the Preſident of the United States, to induce him to adopt the meaſure in the ſaid reſolution mentioned: Therefore,

*Reſolved*, That the further conſideration of ſaid reſolution be poſtponed until the next meeting of the Legiſlature.

Mr. Speaker put the queſtion on the motion of Mr. Philip Smith, and it paſſed in the negative. The yeas and nays were called for by Mr. Burt, ſeconded by Mr. Reynolds, and were as follows, viz.

*For the Negative.*

| | | | |
|---|---|---|---|
| Mr. Abeel | Mr. Dodge | Mr. W. Mott | Mr. Joſhua Smith |
| Mr. Adams | Mr. Fairlie | Mr. Nexen | Mr. Snell |
| Mr. Adriance | Mr. Floyd | Mr. Peck | Mr. Storm |
| Mr. Arcularius | Mr. E. Gilbert | Mr. Prevoſt | Mr. Swartwout |
| Mr. Baldwin | Mr. Hogeboom | Mr. Robins | Mr. Tabor |
| Mr. Blake | Mr. Honeywell | Mr. Root | Mr. S. Ten Broeck |
| Mr. Boyd | Mr. Hopkins | Mr. Savage | Mr. Thomas |
| Mr. Burt | Mr. Hunt | Mr. Schunemann | Mr. Van Benthuyſen |
| Mr. Clark | Mr. Johnſon | Mr. Skidmore | Mr. Veeder |
| Mr. Coe | Mr. M'Intye | Mr. A. Smith | Mr. Waren |
| Mr. Comſtock | Mr. C. M'Kinſtry | Mr. H. Smith | Mr. Weſtcott |
| Mr. Corl | Mr. Moore | Mr. John Smith | Mr. Wolfe, 50 |
| Mr. Crocker | Mr. E. Mott | | |

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Mr. Adgate | Mr. Furman | Mr. Lefevre | Mr. Reynolds |
| Mr. Barker | Mr. German | Mr. Lott | Mr. Schuyler |
| Mr. Bill | Mr. B. Gilbert | Mr. J. M'Kinſtry | Mr. Shurtleff |
| Mr. Campbell | Mr. Gray | Mr. M'Neil | Mr. John M. Smith |
| Mr. Clilt | Mr. Hall | Mr. Micheau | Mr. Philip Smith |
| Mr. Cummings | Mr. Heermance | Mr. Oſtrom | Mr. Swart |
| Mr. Deitz | Mr. Hoag | Mr. Paine | Mr. Teed |
| Mr. Dewey | Mr. King | Mr. Pauling | Mr. Van Renſelaer |
| Mr. Doty | Mr. C. Lanſingh | Mr. Pearce | Mr. Voorhis 38 |
| Mr. French | Mr. J. Lanſingh | | |

Mr. Speaker then put the question on the motion of Mr. Reynolds, and it passed in the negative.

Mr. King then moved the previous question on the motion of Mr. Swartwout, and it was carried in the affirmative. The yeas and nays were called for by Mr. Van Benthuysen, seconded by Mr. Robins, and were as follows, viz.

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Mr. Abeel | Mr. Dodge | Mr. W. Mott | Mr. Joshua Smith |
| Mr. Adams | Mr. Fairlie | Mr. Nexen | Mr. Snell |
| Mr. Adriance | Mr. Floyd | Mr. Peck | Mr. Storm |
| Mr. Arcularius | Mr. E. Gilbert | Mr. Prevoft | Mr. Swartwout |
| Mr. Baldwin | Mr. Hogeboom | Mr. Robins | Mr. Tabor |
| Mr. Blake | Mr. Honeywell | Mr. Root | Mr. S. Ten Broeck |
| Mr. Boyd | Mr. Hopkins | Mr. Savage | Mr. Thomas |
| Mr. Burt | Mr. Hunt | Mr. Schuneman | Mr. Van Benthuysen |
| Mr. Clark | Mr. Johnson | Mr. Skidmore | Mr. Veeder |
| Mr. Coe | Mr. M'Intyre | Mr. A. Smith | Mr. Waren |
| Mr. Comstock | Mr. C. M'Kinstry | Mr. H. Smith | Mr. Westcott |
| Mr. Corl | Mr. Moore | Mr. John Smith | Mr. Wolfe 50 |
| Mr. Crocker | Mr. E. Mott | | |

*For the Negative.*

| | | | |
|---|---|---|---|
| Mr. Adgate | Mr. Furman | Mr. C. Lanfingh | Mr. Reynolds |
| Mr. Barker | Mr. Gates | Mr. J. Lanfingh | Mr. Schuyler |
| Mr. Bill | Mr. German | Mr. Lefevre | Mr. Shurtleff |
| Mr. Campbell | Mr. B. Gilbert | Mr. Lott | Mr. John M. Smith |
| Mr. Clift | Mr. Gray | Mr. J. M'Kinstry | Mr. Philip Smith |
| Mr. Cummings | Mr. Hall | Mr. M'Neil | Mr. Swart |
| Mr. Deitz | Mr. Heermance | Mr. Micheau | Mr. Teed |
| Mr. Dewey | Mr. Henry | Mr. Oftrom | Mr. Van Renfselaer |
| Mr. Doty | Mr. Hoag | Mr. Paine | Mr. Voorhis 39 |
| Mr. French | Mr. King | Mr. Pearce | |

Mr. Van Renfselaer then made a motion to amend the refolution propofed by the motion of Mr. Swartwout, by inferting after the words "*United States,*" "*approving of the public meafures taken by him during his adminiftration, and*"

Mr. King then moved a refolution as an amendment in lieu of the faid refolution propofed by the motion of Mr. Swartwout, in the words following, viz.

*Refolved,* (if the Hon. the Senate concur herein,) That a joint committee of the Senate and Aflembly be appointed to draft a refpectful addrefs to the Prefident of the United States, approving of his late appointment of three diftinguifhed citizens to treat with the Republic of France, for the amicable fettlement and adjuftment of all exifting differences between the two republics.

Mr. Shurtleff then made a motion to amend the faid fubftitute by adding thereto the following words, "*and aflfuring him that although we have little confidence in the fincerity of the French Directory, or their Agent Mr. Talleyrand, we are not doubtful of the purity of the motives which induced the Prefident to this meafure.*"

Mr. Speaker thereupon declared that the faid motion of Mr. Shurtleff, was not in order.

A motion was then made that the Houfe fhould adjourn, and the queftion having been put thereon, it was carried in the affirmative. The yeas and nays being called for by Mr. Dewey, feconded by Mr. Henry, were as follows, viz.

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Mr. Abeel | Mr. Doty | Mr Hopkins | Mr. Pearce |
| Mr. Adgate | Mr. Fo:t | Mr. Johnfon | Mr. Prevoft |
| Mr. Barker | Mr. French | Mr. King | Mr. Reynolds |
| Mr. Bill | Mr. Furman | Mr. C. Lanfingh | Mr. Schuyler |
| Mr. Campbell | Mr. Gates | Mr. J. Lanfingh | Mr. Shurtleff |
| Mr. Clift | Mr. German | Mr. C. M'Kinftry | Mr. John M. Smith |
| Mr. Coe | Mr. B Gilbert | Mr. J. M'Kinftry | Mr. Philip Smith |
| Mr. Corl | Mr. Gray | Mr. M'Neil | Mr. Swart |
| Mr. Crocker | Mr. Hall | Mr. Micheau | Mr. Teed |
| Mr. Cummings | Mr. Heermance | Mr. Oftrom | Mr. Van Renfselaer |
| Mr. Deitz | Mr. Henry | Mr. Paine | Mr. Voorhis 47 |
| Mr. Dewey | Mr. Hoag | Mr. Pauling | |

*For the Negative.*

| | | | |
|---|---|---|---|
| Mr. Adams | Mr. Floyd | Mr. Peck | Mr. Snell |
| Mr. Adriance | Mr. E. Gilbert | Mr Robins | Mr. Swartwout |
| Mr. Arcularius | Mr. Hogeboom | Mr. Root | Mr. Tabor |
| Mr. Baldwin | Mr. Honeywell | Mr. Savage | Mr. S. Ten Broeck |
| Mr. Blake | Mr. Hunt | Mr. Schuneman | Mr. Thomas |
| Mr. Boyd | Mr. Lefevre | Mr. Skidmore | Mr. Van Benthuysen |
| Mr. Burt | Mr. M'Intyre | Mr. A. Smith | Mr. Veeder |
| Mr. Clark | Mr. Moore | Mr. H. Smith | Mr. Waren |
| Mr. Comstock | Mr. E. Mott | Mr. John Smith | Mr. Westcott |
| Mr. Dodge | Mr. W. Mott | Mr. Joshua Smith | Mr. Wolfe 47 |
| Mr. Fairlie | Mr. Nexen | | |

Then the Houfe adjourned until ten o'clock to-morrow morning.

SATURDAY, *ten o'clock, A. M. March 16th*, 1799.

The engroſſed bill entitled "An act for the relief of the inhabitants of the town of Eaſton," was read the third time.

*Reſolved*, That the bill do paſs.

*Ordered*, That Mr. Blake and Mr. Boyd, deliver the bill to the Hon. the Senate, and requeſt their concurrence.

The bill entitled "An act relative to the counties of Ontario and Steuben," and the bill entitled "An act for continuing in force an act entitled "An act repealing an act entitled "An act for granting and ſecuring to John Fitch the ſole right and advantage of making and employing the ſteam boat by him lately invented for other purpoſes therein mentioned," were reſpectively read the ſecond time, and committed to a committee of the whole Houſe.

A communication from the Surveyor-General was read, and is in the words following, viz.

The Surveyor-General purſuant to the act entitled "An act relative to the lands on the Niagara river belonging to the people of this ſtate," paſſed April 2d, 1798, reſpectfully reports,

That in obedience to the directions of ſaid act, he has cauſed a town to be laid out on the Niagara river, the plan of which is preſented with this report. The advantages of the ſituation choſen are detailed in a letter from Joſeph Ellicott, the ſurveyor; an extract from which, alſo accompanies this report. It was ſuppoſed not neceſſary at preſent to mark any other parts of the town than the firſt principal ſtreet parallel to the river; along which, where it is interſected by the croſs ſtreets, ſtones are accurately ſet in the ground and marked, from theſe any of the lots may at any time with eaſe be found without danger of erring. The out-lots have not yet been run, the ſurveyors who were there not having time to do it.

All which is reſpectfully ſubmitted.

SIMEON DE WITT, Surveyor-General.

MARCH 16, 1799.

The extract of the letter referred to in the ſaid report was alſo read, and is in the words following, viz.

*Extract of a letter from Joſeph Ellicott, to the Surveyor-General, relative to the town laid out on the Niagara river.*

The reaſons that have induced me to adopt this ſpot in preference to any other part of the river below the Great Falls, are the following: on examining the ground from the old landing place to three miles below, I did not diſcover any where an eligible or poſitive proper place for that purpoſe. It was obſerved that at the lower place, there was a kind of harbor formed by the curvature of the ſhore, and a mid- and elevated bank which affords the facility to cut the ſtreets down the bank to the water without great expence; but no ſpring water was found any where on that ſpot. The water near the bank is ſhallow, which would require conſiderable extent of wharfage to be made to accommodate veſſels in landing & unloading. The ground is rather flat and wet, and commanded on all ſides except that next the water by higher ground, which would have a tendency to prevent the town from being refreſhed by any other wind except that coming off the water, the vapor of which might prove injurious to the ſalubrity of the air in the town; and another powerful reaſon was, it being too far from the head of navigation, where naturally all the mercantile buſineſs will be confined. Thoſe objections gave inducements to examine again attentively the ground near the head of navigation; the bank generally was found high, part of the ground hilly and rocky, but good deep water was found near the bank, which will afford to have the veſſels near without almoſt any wharves; a number of excellent ſprings were found ſcattered round that ſpot, beſides the old landing already exiſted. There is a place near the north end of that ſpot where the bank is low, which affords the beſt places for eſtabliſhing at a ſmall expence ſeveral landings, and where the water is the moſt convenient for that purpoſe, being from 10 to 12 feet deep at not more than two or three yards from the ſhore or bank. The bottom there affords good anchorage; when we ſay the bank is high, it is not to be underſtood that it is impoſſible to have the ſtreets cut down through it; this can be done

every with expences, and in many places they will not be great, the bank having inclination enough to cut commodious dry paths and walks every where with little trouble. The unevenneſs of the ground in the incloſed ground plot, I deem rather advantageous than otherwiſe for the wholeſomeneſs of the place, its riſing gradually to the eaſt, will give an agreeable and ſalubrious ſeat to a good many fronting houſes, which will have good airy proſpects. Stone and limeſtone may be procured on the ſpot, and the fineſt timber exiſts, in or very near the circuit of the town, &c.

Mr. Barker from the committee to whom was committed the bill entitled "An act to erect part of the counties of Albany and Ulſter into a ſeparate county by the name of ———," reported, that the committee had gone through the bill, added a clauſe, filled up the blank in the title with the word "*Coxſackie*," and alſo filled up the blanks in the bill and agreed to the ſame, which he was directed to report to the Houſe, and he read the report in his place, and delivered the bill in at the table, where it was again read and agreed to by the Houſe.

*Ordered*, That the bill be engroſſed.

Mr. Root from the committee to whom was referred the petition of Peter Van Orden and others, reported, that the facts ſtated in ſaid petition are true; they further report, that by the fourth ſection of the act for opening and improving certain great roads within this ſtate, paſſed the 28th March, 1797, it is enacted that out of the neat proceeds of the third lottery mentioned in ſaid act, the ſum of 6510 dollars be appropriated for improving the great road leading from Catſkill landing to Catharineſtown, in the county of Tioga; ſaid improvements commence at the houſe of Stephen Platt in Freehold; that ſaid road mentioned in ſaid petition, is at leaſt two miles ſhorter than the road leading paſt the houſe of Stephen Platt; that a bridge over the Schoharie kill as mentioned in the prayer of the petition, would be of great public utility. The committee are therefore of opinion, that a part of the ſum of 6510 dollars ought to be appropriated for the purpoſe of erecting a bridge as aforeſaid; and have directed him to move for leave to bring in a bill for that purpoſe.

*Ordered*, That leave be given to bring in the ſaid bill.

Mr. Weſtcott from the committee to whom were referred two ſeveral petitions from inhabitants of the town of Deerpark, in the county of Orange, and of the town of Mamakating, in the county of Ulſter, praying that the ſaid town of Mamakating may be annexed to the county of Orange, reported, that the committee are convinced that the petitioners would be accommodated by a compliance with the prayer of their petitions; and are further of opinion that other alterations in thoſe counties will be neceſſary. The diviſion line between the two counties is at preſent very crooked, and ſuch as will render an alteration neceſſary at ſome period not very diſtant. But the committee are not at this time in poſſeſſion of all the information neceſſary to enable them to form an accurate opinion on this ſubject. It is probable that before the next ſeſſion of the Legiſlature, ſuch maps & documents will be in the poſſeſſion of the members of the two counties as will enable them to unite in ſuch deciſions as will be ſatisfactory to all concerned, and render frequent legiſlative interference unneceſſary. The committee are therefore of opinion that it is not expedient that the prayer of the petitioners ſhould be granted at the preſent ſeſſion of the Legiſlature.

*Reſolved*, That this Houſe do concur with the committee in their ſaid report.

Mr. Prevoſt from the committee of the whole Houſe on the bill entitled "An act for the more ſpeedy recovery of debts to the value of dollars," reported progreſs and obtained leave to ſit again.

A meſſage from his Excellency the Governor, delivered by his private ſecretary, was read, and is in the words following, viz.

GENTLEMEN,

I have the honour of laying before you a letter, dated the 2d of this month, from his Excellency the Governor of Virginia, with the reſolutions mentioned in it.

JOHN JAY.

*Albany, 16th March*, 1799.

The letter and reſolutions mentioned in his Excellency's ſaid meſſage, are in the words following, viz.

RICHMOND, *2d March*, 1799.

SIR,

I have the honor of encloſing you certain reſolutions which paſſed the General Aſſembly of Virginia the 16th of January laſt, propoſing an amendment to the conſtitution of the United States, which I pray you to ſubmit to the conſideration of the Legiſlature of the ſtate over which you preſide.

*I have the honor to be, with the moſt reſpectful conſideration,*
*Your Excellency's moſt obedient ſervant,*
JAMES WOOD.

*In the Houſe of Delegates, Friday, January* 11, 1799.

The General Aſſembly of Virginia conſidering that the privation of perſonal rights ſolemnly ſanctioned by the conſtitution and laws of the United States, is arbitrary and unjuſt; that the right of election to office is one of the moſt important ſecured thereby to the citizen; and that it ought not to be deſtroyed or impaired, eſpecially by regulations having a retroſpective operation: Therefore,

*Reſolved*, That the propoſition from the Legiſlature of the ſtate of Maſſachuſetts, having for its object the excluſion of certain citizens from their eligibility to offices which they now actually poſſeſs; and the excluſion of other perſons who may become poſſeſſed thereof upon the performance of certain conditions held out to them by exiſting laws; thus by a retroſpective regulation, improper in itſelf, and inconſiſtent with the ſpirit of all our civil inſtitutions, infringing the rights of perſons ſolemnly guaranteed by the conſtitution and laws, is arbitrary and unjuſt; and that it ought not to receive the approbation of the General Aſſembly.

The General Aſſembly nevertheleſs, concurring in opinion with the Legiſlature of Maſſachuſetts, that every conſtitutional barrier ſhould be oppoſed to the introduction of foreign influence into our National Councils,

*Reſolve*, That the conſtitution ought to be ſo amended, that no foreigner, who ſhall not have acquired rights under the conſtitution and laws at the time of making this amendment, ſhall thereafter be eligible to the office of Senator or Repreſentative in the Congreſs of the United States, nor to any office in the Judiciary or Executive Departments.

*Atteſt*,
JOHN STEWART, C. H. D.

*January* 16*th*, 1799, *agreed to by the Senate*,
H. BROOKE, C. S.

*Ordered*, That the ſaid meſſage from his Excellency the Governor, together with the papers accompanying the ſame, be committed to a committee of the whole Houſe.

A meſſage from the Hon. the Senate delivered by Mr. Van Schoonhoven and Mr. White, with the bill therein mentioned was read, that the Senate have concurred with this Houſe in their amendments to the bill entitled "An act to divide the town of Thurman," and have amended the ſaid bill accordingly.

The amended bill having been examined,

*Ordered*, That Mr. Blake and Mr. Boyd, return the bill to the Hon. the Senate.

A meſſage from the Hon. the Council of Reviſion, tranſmitted to this Houſe by the Hon. the Senate was read, that it does not appear improper to the council, that the bill entitled "An act to explain the law and rectify miſtakes reſpecting the payment and remiſſion of quit rent," the bill entitled "An act relative to the Onieda Indians," and the bill entitled "An act for the relief of James Bloodgood," ſhould reſpectively become laws of this ſtate.

*Reſolved*, That this Houſe will on Wedneſday next reſolve itſelf into a committee of the whole Houſe, on the bill entitled "An act to veſt certain lands in Sarah M'Ginnis and Rachael Walmſley."

A meſſage from the Hon. the Senate delivered by Mr. Beeckman and Mr. Bronk, with the bill therein mentioned was read, that the Senate do concur with this Houſe in their amendments to the bill entitled "An act directing certain bills of credit and certificates belonging to this ſtate to be cancelled," and that the ſaid bill is amended accordingly.

The amended bill having been examined,

*Ordered*, That Mr. Boyd and Mr. Bruyn, return the bill to the Hon. the Senate.

Mr. Weſtcott from the committee of the whole Houſe, on the bill entitled "A act for the relief of William Cockburn," reported, that the committee had go through the bill, added a clauſe, altered the title and agreed to the ſame, that t altered title is "An act for the relief of William Cockburn, Alexander M'Nish an others;" which report he read in his place, and delivered the bill with the add clauſe in at the table, where the ſame was again read, and agreed to by the Houſe.

*Ordered*, That the bill be engroſſed.

Mr. Baldwin from the committee to whom were committed ſundry petitions re lative to erecting a bridge over the Mohawk river at the city of Schenectady, re ported, that they have duly conſidered the ſeveral petitions, and are of opinion th the moſt proper place for erecting the ſaid bridge is at the place called the low ferry, the river there not being more than half as wide as at the other place praye for, (viz. the upper ferry) and much more ſafe, as to injuries to be apprehend from the ice; that the expence for building the ſaid bridge at the lower ferry w be ſmall compared with the other place, and of courſe more likely to be carried i to effect. They are therefore of opinion that the prayer of the petitioners, prayi that a bridge might be erected at the lower ferry ought to be granted; that the have prepared a bill for that purpoſe, and have directed him to aſk for leave bring in the ſame. Leave being given, Mr. Baldwin brought in the ſaid bill en tled "An act to incorporate the Mohawk bridge company, which was read the fi time, and ordered a ſecond reading.

The order of the day was further poſtponed until Tueſday next.

Then the Houſe adjourned until ten o'clock on Monday morning next.

MONDAY, *ten o'clock, A. M. March 18th*, 1799.

The engroſſed bill entitled "An act to amend the act entitled "An act for re lating elections," was read the third time.

*Reſolved*, That the bill do paſs.

The engroſſed bill entitled "An act for the relief of William Cockburn, Alex der M'Nish and others," was read the third time.

*Reſolved*, That the bill do paſs.

The engroſſed bill entitled "An act to erect part of the counties of Albany a Ulſter into a ſeparate county by the name of Coxſackie," was read the third time.

*Reſolved*, That the bill do paſs.

*Ordered*, That Mr. Campbell and Mr. Clark deliver the three laſt mentioned bi to the Hon. the Senate, and requeſt their concurrence to the ſaid bills reſpectively

The bill entitled "An act to incorporate the Mohawk Bridge Company," w read the ſecond time and committed to a committee of the whole Houſe.

Two ſeveral petitions of John Stormes and others, inhabitants of the town of L den, in the county of Oneida, were read and ordered to be laid on the table.

Mr. Root, according to leave heretofore given, brought in a bill entitled "An to encourage the building of a bridge acroſs the Schoharie kill, near the houſe Martinus Laraway," which was read the firſt time, and by unanimous conſent w alſo read the ſecond time, and committed to a committee conſiſting of Mr. Ro Mr. Bruyn, Mr. Barker, Mr. Abeel and Mr. Swart.

Mr. Shurtleff from the committee of the whole Houſe on the bill entitled "A act relative to civil relations of perſons ſentenced to impriſonment for life," report that the committee had gone thro' the bill and agreed to the ſame without amen ment, which report he read in his place, and delivered the bill in at the table, wh it was again read and agreed to by the Houſe, and the bill ordered a third readi

Mr. Prevoſt from the committee to whom was referred the petition of Solom Simſon and Henry Remſen, together with the report of the Attorney-General the on, reported, that by the independence of the United States, the ſtate of New-Y became veſted with all gold and ſilver mines within its limits, not before granted the king of Great Britain; that by the attainder of Frederick Philipſe, his interes ſuch mines, ſituate within the manor of Philipſburgh, as were theretofore gran to him, became forfeited to the people of this ſtate; that the commiſſioners of f feitures had no authority to diſpoſe of the ſame, and the right thereto ſtill contin in the people of this ſtate, notwithſtanding any conveyance of the right of ſoil; a it appears that the diſcovery of the ſaid mines was made by the ſaid petitioners,

their aſſociates; that in conſequence thereof the ſaid Frederick Philipſe did, on the 1ſt of October, 1771, grant all the royalties in the ſaid manor to the ſaid petitioners and their aſſociates for the term of twenty-one years (to be thereafter renewed) with the permiſſion of erecting the neceſſary buildings thereon, and of cutting ſuch wood and timber as might be neceſſary for working the ſaid mines; that a ſtamp mill and ſeveral other buildings were erected by the ſaid petitioners. The committee are therefore of opinion, that the grant thereof ought to be renewed to the ſaid petitioners for the term mentioned in the ſaid grant thereof from the ſaid Frederick Philipſe, under ſuch reſtrictions as may prevent injury to the preſent proprietors of the ſoil, and they pray leave to bring in a bill for that purpoſe.

*Ordered*, That leave be given accordingly.

A copy of a reſolution of the Hon. the Senate, delivered by Mr. Bronk and Mr. Cantine, was read, that the Senate do concur with this Houſe in their reſolution, that the Legiſlature will adjourn on the 28th day of March inſtant.

Two ſeveral meſſages from the Hon. the Senate, delivered by Mr. Bronk and Mr. Cantine, with the bills therein reſpectively mentioned, were read, that the Senate have paſſed the bill entitled "An act authorizing the Mayor, Aldermen and Commonalty of the city of Albany to raiſe a ſum by tax for defraying the expenſe of lighting the lamps, and for the ſupport of a night watch in the ſaid city," and the bill entitled "An act to authorize the raiſing a further ſum of money for repairing the court-houſe in the county of Herkimer," reſpectively without amendment.

*Ordered*, That Mr. Clift and Mr. Coe deliver the ſaid bills to the Hon. the Council of Reviſion.

Three ſeveral meſſages from the Hon. the Senate, alſo delivered by Mr. Bronk and Mr. Cantine, with the bills therein reſpectively mentioned, were read, that the Senate have paſſed the bill entitled "An act to regulate the paſſing of carriages, waggons, carts and ſleighs by each other in the city of New-York," the bill entitled "An act authorizing the raiſing money in the city of Hudſon to defray certain expenſes therein," and the bill entitled "An act to authorize the raiſing a further ſum of money to compleat the court-houſe and gaol in the county of Schoharie," and requeſting the concurrence of this Houſe to the ſaid bills reſpectively. The ſaid bills were ſeverally read the firſt time and ordered a ſecond reading.

Mr. Root from the committee of the whole Houſe on the bill entitled "An act to amend the act entitled "An act for the further ſale of the unappropriated lands of this ſtate," reported, that in proceeding in the ſaid bill, a clauſe thereof was read, and is in the words following, viz.

And be it further enacted, That if any perſon or perſons have actually ſettled or made improvements on any lots that may be hereafter ſold by virtue of this act, and ſuch perſon ſhall not be the purchaſer of ſuch lot, then the purchaſer of ſaid lot ſhall, before he obtains poſſeſſion thereof, pay to the perſon having made ſuch improvement the value thereof, to be appraiſed by three indifferent perſons, to be appointed by a major part of the judges of the court of common pleas of the county where ſuch lands lie, provided that the ſaid improvements have been made before the paſſing of this act.

That Mr. Prevoſt made a motion that the committee ſhould agree to expunge the ſaid clauſe; that debates were had, and the queſtion having been put thereon, it paſſed in the negative; that the yeas and nays were called for by Mr. Prevoſt, ſeconded by Mr. Floyd, and were as follows, viz.

*For the Negative.*

| | | | |
|---|---|---|---|
| Mr. Adams | Mr. Furman | Mr. J. M'Kinſtry | Mr. H. Smith |
| Mr. Adriance | Mr. German | Mr. M'Neil | Mr. John Smith |
| Mr. Barker | Mr. B. Gilbert | Mr. Micheau | Mr. Snell |
| Mr. Blake | Mr. E. Gilbert | Mr. Moore | Mr. Storm |
| Mr. Boyd | Mr. Heermance | Mr. E. Mott | Mr. Swart |
| Mr. Burt | Mr. Henry | Mr. W. Mott | Mr. Tabor |
| Mr. Clark | Mr. Hoag | Mr. Paine | Mr. Teed |
| Mr. Coe | Mr. Hogeboom | Mr. Pauling | Mr. S. Ten Broeck |
| Mr. Comſtock | Mr. Hopkins | Mr. Peck | Mr. Thomas |
| Mr. Crocker | Mr. Hunt | Mr. Reynolds | Mr. Van Benthuyſen |
| Mr. Cummings | Mr. Johnſon | Mr. Robins | Mr. Veeder |
| Mr. Deitz | Mr. Kane | Mr. Savage | Mr. Voorhis |
| Mr. Dewey | Mr. C. Lanſingh | Mr. Schermerhorn | Mr. Waren |
| Mr. Dodge | Mr. Lott | Mr. Skidmore | Mr. Weſtcott |
| Mr. Doty | Mr. C. M'Kinſtry | Mr. A. Smith | Mr. Wolfe 61. |
| Mr. Fairlie | | | |

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Mr .Arcularius | Mr. De Witt | Mr. Oſtrom | Mr. Joſhua Smith |
| Mr. Bill | Mr. Floyd | Mr. Prevoſt | Mr. Speaker |
| Mr Bruyn | Mr. French | Mr. Shurtleff | Mr. Van Renſſelaer |
| Mr. Clift | Mr. Lefevre | Mr. John M. Smith | |

That in proceeding to fill up the blank in the ſaid bill, the firſt enacting clau thereof was again read, and is in the words following, viz.

Be it enacted by the people of the ſtate of New-York, repreſented in Senate a Aſſembly, That it ſhall be lawful for the commiſſioners of the land-office, and th are hereby directed and required, whenever they ſhall think it for the intereſt of th ſtate, to ſell any of the unappropriated land in the eaſtern or middle diſtrict of th ſtate, to direct the Surveyor-General to ſurvey, or cauſe the ſame to be ſurveyed i to towns and lots, in the ſame manner as directed in the aforeſaid act, and to ſe the ſame in the manner herein after directed; but no lands ſhall be ſold by virt of this act or the act hereby amended, for leſs than per acre; any thing the aforeſaid act to the contrary notwithſtanding.

That Mr. Comſtock made a motion to inſert the words "*two dollars*" in the ſa blank.

That Mr. Hopkins made a motion to inſert the words "*one dollar*" in the ſa blank.

That the queſtion having been put on the motion of Mr. Comſtock, it was carrie in the affirmative. That the yeas and nays were called for by Mr. Hopkins, ſecond ed by Mr. Van Renſſelaer, and were as follows, viz.

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Mr. Adams | Mr. De Witt | Mr. J. Lanſingh | Mr. A. Smith |
| Mr. Adriance | Mr. Dodge | Mr. Lefevre | Mr. H. Smith |
| Mr. Arcularius | Mr. Fairlie | Mr. Lott | Mr. John M. Smith |
| Mr. Barker | Mr. Floyd | Mr. M'Neil | Mr. Joſhua Smith |
| Mr. Blake | Mr. French | Mr. Micheau | Mr. Snell |
| Mr. Boyd | Mr. German | Mr. W. Mott | Mr. Speaker |
| Mr. Bruyn | Mr. B. Gilbert | Mr. Nexen | Mr. Storm |
| Mr. Burr | Mr. E. Gilbert | Mr. Oſtrom | Mr. Swartwout |
| Mr. Clark | Mr. Hall | Mr. Pauling | Mr. Tabor |
| Mr. Clift | Mr. Heermance | Mr. Peck | Mr. Teed |
| Mr. Coe | Mr. Henry | Mr. Prevoſt | Mr. Van Benthuyſen |
| Mr. Comſtock | Mr. Honeywell | Mr. Robins | Mr. Veeder |
| Mr. Cummings | Mr. Hunt | Mr. Schuyler | Mr. Weſtcott |
| Mr. Deitz | Mr. Johnſon | Mr. Skidmore | Mr. Wolfe |
| Mr. Dewey | | | |

*For the Negative.*

| | | | |
|---|---|---|---|
| Mr. Burt | Mr. Kane | Mr. Reynolds | Mr. S. Ten Broeck |
| Mr. Crocker | Mr. C. Lanſingh | Mr. Savage | Mr. Thomas |
| Mr. Hogeboom | Mr. C. M'Kinſtry | Mr. Shurtleff | Mr. Van Renſſelaer |
| Mr. Hopkins | Mr. Paine | Mr. Philip Smith | |

Mr. Root reported further progreſs, and obtained leave to ſit again.

Mr. Fairlie from the committee of the whole Houſe, on the bill entitled "An a to amend the ſtatute of limitation," reported, that in proceeding in the ſaid bill, an after the ſame had been read through in the committee, the firſt enacting clau thereof was again read, and is in the words following, viz.

Be it enacted by the people of the ſtate of New-York, repreſented in Senate an Aſſembly, That no perſon who may hereafter remove from one county to anothe within this ſtate, ſhall plead the ſtatute of limitation for any time elapſing after ſuc removal, unleſs he ſhall give notice thereof in one of the newſpapers printed in th county whereof he ſhall be an inhabitant, for ſix weeks ſucceſſively, previous to hi removal; and if there be no newſpaper printed in ſuch county, then unleſs he ſha put up a written notice on the door of the court houſe, and if there be two cou houſes, on the door of the neareſt; and ſhall alſo put up the like notice in ſom public place within the town whereof he ſhall be an inhabitant, ſix weeks previou to his removal.

That Mr. Burr made a motion that the committee ſhould agree to expunge th ſaid clauſe; that debates were had, and the queſtion having been put thereon, it paſſe

the negative. That the yeas and nays were called for by Mr. Burt, seconded by r. Hogeboom, and were as follows, viz.

*For the Negative.*

| | | | |
|---|---|---|---|
| r. Adriance | Mr. Corl | Mr. C. Lansingh | Mr. H. Smith |
| r. Arcularius | Mr. Deitz | Mr. L'Hevre | Mr. John Smith |
| r. Blake | Mr. De Witt | Mr. Moore | Mr. Storm |
| r. Boyd | Mr. Dodge | Mr. W. Mott | Mr. Tabor |
| r. Bruyn | Mr. Floyd | Mr. Nexen | Mr. Teed |
| r. Burt | Mr. Hoag | Mr. Peck | Mr. S. Ten Broeck |
| r. Campbell | Mr. Hogeboom | Mr. Schermerhorn | Mr. Waren |
| r. Clark | Mr. Johnson | Mr. Skidmore | Mr. Wolcott 35 |
| r. Coe | Mr. King | Mr. A. Smith | |

*For the Affirmative.*

| | | | |
|---|---|---|---|
| r. Adams | Mr. E. Gilbert | Mr. M'Neil | Mr. Savage |
| r. Barker | Mr. Hall | Mr. Micheau | Mr. Shurtleff |
| r. Burr | Mr. Henry | Mr. E. Mott | Mr. John M. Smith |
| r. Comstock | Mr. Hopkins | Mr. Ofrom | Mr. Philip Smith |
| r. Crocker | Mr. Hunt | Mr. Pauling | Mr. Speaker |
| r. Cummings | Mr. J. Lansingh | Mr. Reynolds | Mr. Swartwout |
| r. Furman | Mr. C. M'Kinstry | Mr. Robins | Mr. Veeder |
| r. German | Mr. J. M'Kinstry | Mr. Root | Mr. Wolfe 33. |
| r. B. Gilbert | | | |

Mr. Fairlie further reported, that the committee had gone through the said bill, ounged the first clause thereof, and agreed to the same; which report he read in place, and delivered the same in at the table, where it was again read and agreed by the House.

*Ordered*, That the bill be engrossed.

Mr. King from the committee to whom was committed the bill entitled "An act oviding for the payment of certain contingent expences of the former county of erkimer," reported, that the committee had gone through the bill, made amend- nts, added clauses and agreed to the same; which he was directed to report to e House, and he read the report in his place, and delivered the bill, amendments d clauses in at the table, where the same were again read: Thereupon,

*Ordered*, That the consideration thereof be postponed.

Mr. King from the committee to whom was committed the petition of the super- ors of the county of Chenango, reported, that the facts set forth in the said peti- n clearly justify legislative provision; and that in the opinion of the committee, lause should be added for that purpose, to the bill entitled "An act providing for e payment of certain contingent expences of the former county of Herkimer."

*Ordered*, That the consideration of the said report be postponed.

Then the House adjourned until ten o'clock to-morrow morning.

TUESDAY, *ten o'clock, A. M. March 19th*, 1799.

The engrossed bill entitled "An act to amend the statute of limitation," was read e third time.

*Resolved*, That the bill do pass.

The engrossed bill entitled "An act to abolish imprisonment for debts contracted er the first day of January, one thousand eight hundred," was read the third time.

Mr. Speaker put the question whether the said bill should pass, and it was carried the affirmative. That the yeas and nays being called for by Mr. Root, seconded Mr. John M. Smith, were as follows, viz.

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Abeel | Mr. Doty | Mr. E. Mott | Mr. Shurtleff |
| Adams | Mr. French | Mr. Ofrom | Mr. Skidmore |
| Barker | Mr. German | Mr. Paine | Mr. A. Smith |
| Bruyn | Mr. E. Gilbert | Mr. Pauling | Mr. John Smith |
| Burr | Mr. Hall | Mr. Peck | Mr. John Smith |
| Burt | Mr. Hogeboom | Mr. Prevoft | Mr. Storm |
| Clark | Mr. Hopkins | Mr. Reynolds | Mr. Swartwout |
| Coe | Mr. Landon | Mr. Robins | Mr. S. Ten Broeck |
| Crocker | Mr. J. M'Kinstry | Mr. Savage | Mr. Thomas |
| Cummings | Mr. M'Neil | Mr. Schermerhorn | Mr. Veeder |
| Dodge | Mr. Moore | Mr. Schuneman | Mr. Waren 44 |

*For the Negative.*

| | | | |
|---|---|---|---|
| Mr. Adriance | Mr. B. Gilbert | Mr. Lefevre | Mr. H. Smith |
| Mr. Blake | Mr. Gray | Mr. Lott | Mr. John M. Smith |
| Mr. Boyd | Mr. Heermance | Mr. C. M'Kinstry | Mr. Philip Smith |
| Mr. Clift | Mr. Henry | Mr. Michean | Mr. Snell |
| Mr. Corl | Mr. Honeywell | Mr. W. Mott | Mr. Swart |
| Mr. Dewey | Mr. Hunt | Mr. Nexen | Mr. Taber |
| Mr. De Witt | Mr. Johnson | Mr. Pearce | Mr. Teed |
| Mr. Fairlie | Mr. Kane | Mr. Philips | Mr. Van Benthuysen |
| Mr. Fort | Mr. C. Lansingh | Mr. Root | Mr. Voorhis |
| Mr. Furman | Mr. J. Lansingh | Mr. Schuyler | Mr. Wescott |

*Ordered*, That Mr. Coe and Mr. Corl, deliver the two last mentioned bills to the Hon. the Senate, and request their concurrence in the said bills respectively.

The bill entitled "An act relative to civil relations of persons sentenced to imprisonment for life," was read the third time.

*Resolved*, That the bill do pass.

*Ordered*, That Mr. Coe and Mr. Corl, deliver the bill to the Hon. the Senate, and inform them that this House have passed the same without amendment.

The bill entitled "An act to authorize the raising a further sum of money to complete the court house and gaol in the county of Schoharie," and the bill entitled "An act authorizing the raising money in the city of Hudson, to defray certain expences therein," were severally read the second time, and committed to a committee of the whole House.

The bill entitled "An act to regulate the passing of carriages, waggons, carts and sleighs by each other in the city of New-York," was read the second time, and committed to a committee consisting of the members attending this House from the city and county of New-York.

A petition of Benjamin Birdsall and others, relative to the division line between the towns of Hillsdale and Livingston, in the county of Columbia, was read and referred to the members attending this House from the county of Columbia.

A representation of Loring Andrews, printer to the state, was read and committed to the committee of the whole House, when on the bill entitled "An act for the payment of certain officers of government."

Sundry petitions from inhabitants of the county of Westchester, relative to the fisheries, were read and committed to the committee of the whole House, when on the bill entitled "An act relative to the putting up pickled fish, and to prevent the setting of nets in certain parts of the Hudson river, and for other purposes."

A petition of Jonas Williams and others, praying a law authorizing them to raise a sum by tax, for the purpose of draining a certain piece of land in Orange county, was read: Thereupon,

*Resolved*, (if the Hon. the Senate concur herein,) That Jonas Williams and others, proprietors of a bog-meadow commonly called the beaver-dam, in the town of New-Windsor, in the county of Orange, have leave to present to either House of the Legislature at their next meeting, a bill to authorize them to raise a sum sufficient for draining the said lands by assessment upon the proprietors of the same, agreeably to the prayer of their petition, provided the said petitioners cause a copy of this resolution to be previously published for six weeks successively, in the public newspaper printed in the town of New-Windsor or Newburgh; to the end, that any person or persons who may conceive their interest affected thereby, may appear at the bar of either House of the Legislature, and shew cause (if any they have) against the passing of such bill.

*Ordered*, That Mr. Corl and Mr. Crocker, deliver a copy of the preceding resolution to the Hon. the Senate, and request their concurrence.

Mr. Swartwout from the committee to whom was committed the bill entitled "An act to regulate the passing of carriages, waggons, carts and sleighs by each other in the city of New-York," reported, that the committee had gone through the bill and agreed to the same without amendment; and he read the report in his place and delivered the bill in at the table, where it was again read, and ordered a third reading.

Mr. C. M'Kinstry from the committee to whom was referred the petition of John Johnson, reported, that the petitioner in his prayer states, that he was a soldier of

ſiſted for the war in Col. James Livingſton's regiment; that by reaſon of ſickneſs and leave of abſence he was in the country in 1779, when Col. Livingſton's regiment was reduced and put into Col. Van Cortland's regiment; that after his health was in part eſtabliſhed, he proceeded to camp in order to join his regiment, and found that his regiment was marched to a great diſtance; that by the advice of Col. Sherman he joined his regiment, and remained with Col. Sherman until the decline of his health induced the Col. by the recommendation of the ſurgeon, to permit him to return to the country, where he remained until the cloſe of the war in a bad ſtate of health; that he is not now, nor ever has been able to perform much hard labour; that his infirmities proceeded from the extreme hardſhips he endured while in ſervice; that by ſome neglect he was not returned, whereby he loſt a conſiderable part of his pay and his gratuity in lands; that being ignorant of the mode of applying for relief, he made no application until the year 1797; that he has now obtained ſuch vouchers as he believes will be ſufficient to convince the Legiſlature of the equity of his claim to relief; the committee have examined the vouchers accompanying the petition, and find one ſigned by Col. James Livington, in whoſe regiment he was a ſerjeant; one ſigned by William Belknap, lieutenant in ſaid regiment; one ſigned by a ſurgeon, recommending leave of abſence for the petitioner; and three other certificates ſigned by Thomas Reed, Noah Taylor and Edward Granger; the ſaid certificates eſtabliſh the matters ſet forth in the petition. The committee are therefore of opinion the ſaid John Johnſon is entitled to relief; and they have prepared a bill for that purpoſe, and directed their chairman to aſk leave to bring in the ſame. Leave being given, Mr. M'Kinſtry brought in the ſaid bill entitled "An act granting lands to John Johnſon," which was read the firſt time, and ordered a ſecond reading.

Mr. J. Lanſingh from the committee to whom was referred the memorial of Jeremiah Van Renſſelaer and his aſſociates, reported, that it appears from the facts ſtated by the Surveyor-General, that by a treaty held on the 31ſt day of May, 1796, a tract of one mile ſquare, at the mill built by the Indians of the village of St. Regis, on Graſs river, and the meadows on both ſides of the ſaid Graſs river, from the ſaid mill thereon to its confluence with the river St. Lawrence, are reſerved to the ſaid St. Regis Indians, and which meadows and mills ſo reſerved are included in ſeveral tracts ſome years before located by and patented to the memorialiſt; ſo that it appears to the committee, from the Surveyor-General's report, that the whole of the tract laid out for the land reſerved to the ſaid Indians, and interfering with the lands granted to the memorialiſt, will be at leaſt four thouſand four hundred and eighty acres; and from the information the committee have been able to obtain, the lands ſo granted as aforeſaid are the moſt valuable part of the lands granted to the memorialiſt. The committee are therefore of opinion, that the memorialiſt and his aſſociates ought to be compenſated for the lands ſo cut off by the reſerve aforeſaid, or that the ſtate obtain a reconveyance from the ſaid St. Regis Indians for the ſame, and that a bill for that purpoſe be prepared; they have directed their chairman to prepare and aſk for leave to bring in ſuch bill.

*Ordered*, That leave be given accordingly.

Mr. Van Benthuyſen from the committee to whom was referred the petition of David Little and others, aliens, reported, that in the opinion of the committee the prayer of the petitioner ought to be granted; that they have prepared a bill for that purpoſe, and have directed their chairman to aſk for leave to bring in the ſame. Leave being given, Mr. Van Benthuyſen brought in the ſaid bill entitled "An act to enable certain perſons therein named to purchaſe and hold real eſtates within this ſtate," which was read the firſt time, and by unanimous conſent was alſo read the ſecond time and committed to a committee of the whole Houſe.

Purſuant to leave heretofore given, Mr. Prevoſt brought in a bill entitled "An act for the relief of James Pine," which was read the firſt time and ordered a ſecond reading.

A meſſage from the Hon. the Senate, delivered by Mr. Cantine and Mr. Clark, with the bill therein mentioned, was read, that the Senate have paſſed the bill entitled "An act authorizing John Knickerbacker, jun. and others, to build a toll bridge at Schaghtikoke Point, in the county of Renſſelaer," without amendment.

*Ordered*, That Mr. Crocker and Mr. Cummings deliver the bill to the Hon. the Council of Reviſion.

A meſſage from the Hon. the Senate, alſo delivered by Mr. Cantine and Mr. Clark, with the bill therein mentioned, was read, that the Senate have paſſed the bill entitled "An act for dividing the town of Stamford, in the county of Delaware," with the amendments therewith delivered.

*Ordered*, That the conſideration of the ſaid amendments be poſtponed.

A copy of a reſolution of the Hon. the Senate, alſo delivered by Mr. Cantine and Mr. Clark, was read, that the Senate do concur with this Houſe in their reſolution as entered on the journal of this day, relative to granting leave to Jonas Williams and others to preſent a bill at the next ſeſſion of the Legiſlature.

Mr. Swartwout from the committee of the whole Houſe on the bill entitled "An act for the payment of certain officers of government," reported, that in proceeding in the ſaid bill a motion was made that the committee ſhould agree to reconſider a clauſe which had been agreed to be expunged; the ſame was read and is in the words following, viz.

And be it further enacted, That from the firſt day of July laſt to the firſt day of July next, there ſhall be allowed to the ſeveral officers of government hereafter mentioned, in addition to the annual ſalaries now allowed them reſpectively in and by the act entitled "An act for the ſupport of government," the following ſums, to wit: to the Governor, or perſon adminiſtering the government of this ſtate, ; to the Chancellor, ; to the Chief Juſtice, and each of the other Juſtices of the Supreme Court, ; to the Secretary of the ſtate,

That the queſtion having been put thereon, it paſſed in the negative. The yeas and nays being called for by Mr. Peck, ſeconded by Mr. Arcularius, were as follows, viz.

*For the Negative.*

| | | | |
|---|---|---|---|
| Mr. Abeel | Mr. Floyd | Mr. C. M'Kinſtry | Mr. A. Smith |
| Mr. Adams | Mr. Fort | Mr. Moore | Mr. John Smith |
| Mr. Adriance | Mr. E. Gilbert | Mr. E. Mott | Mr. Snell |
| Mr. Blake | Mr. Gray | Mr. W. Mott | Mr. Swart |
| Mr. Boyd | Mr. Hogeboom | Mr. Nexen | Mr. Tabor |
| Mr. Bruyn | Mr. Honeywell | Mr. Pearce | Mr. Teed |
| Mr. Burt | Mr. Hopkins | Mr. Peck | Mr. S. Ten Broeck |
| Mr. Clark | Mr. Johnſon | Mr. Root | Mr. Thomas |
| Mr. Corl | Mr. King | Mr. Savage | Mr. Van Benthuyſen |
| Mr. Crocker | Mr. Landon | Mr. Schermerhorn | Mr. Veeder |
| Mr. Deitz | Mr. C. Lanſingh | Mr. Schuneman | Mr. Voorhis |
| Mr. Dewey | Mr. Lefevre | Mr. Skidmore | Mr. Weſtcott 41 |

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Mr. Arcularius | Mr. Fairlie | Mr. Lott | Mr. Robins |
| Mr. Barker | Mr. French | Mr. J. M'Kinſtry | Mr. Schuyler |
| Mr. Bill | Mr. Furman | Mr. M'Neil | Mr. Shurtleff |
| Mr. Burr | Mr. German | Mr. Micheau | Mr. H. Smith |
| Mr. Campbell | Mr. B. Gilbert | Mr. Oſtrom | Mr. John M. Smith |
| Mr. Clift | Mr. Hall | Mr. Paine | Mr. Philip Smith |
| Mr. Coe | Mr. Heermance | Mr. Pauling | Mr. Speaker |
| Mr. Cummings | Mr. Henry | Mr. Philips | Mr. Storm |
| Mr. De Witt | Mr. Hunt | Mr. Prevoſt | Mr. Van Renſſelaer |
| Mr. Dodge | Mr. Kane | Mr. Reynolds | Mr. Wolfe 41 |
| Mr. Doty | Mr. J. Lanſingh | | |

That in proceeding further in the ſaid bill, a motion was made to inſert a clauſe in the ſaid bill in the words following, viz.

And be it further enacted, That the Treaſurer ſhall pay, on the order of the Comptroller, unto Loring Andrews, printer to this ſtate, the ſum of in addition to the ſum that ſhall be certified by the Comptroller to be due him, for the extra printing during the preſent ſeſſion of the Legiſlature.

That the queſtion having been put thereon, it paſſed in the negative; that the yeas and nays being called for by Mr. Peck, ſeconded by Mr. Van Renſſelaer, were as follows, viz.

*For the Negative.*

| | | | | |
|---|---|---|---|---|
| Mr. Abeel | Mr. Deitz | Mr. Lefevre | Mr. John Smith | |
| Mr. Adams | Mr. Dodge | Mr. Moore | Mr. Snell | |
| Mr. Adriance | Mr. Floyd | Mr. E. Mott | Mr. Storm | |
| Mr. Arcularius | Mr. German | Mr. W. Mott | Mr. Swart | |
| Mr. Baldwin | Mr. E. Gilbert | Mr. Pearce | Mr. Tabor | |
| Mr. Blake | Mr. Heermance | Mr. Peck | Mr. Teed | |
| Mr. Boyd | Mr. Hogeboom | Mr. Robins | Mr. S. Ten Broeck | |
| Mr. Bruyn | Mr. Honeywell | Mr. Root | Mr. Thomas | |
| Mr. Burt | Mr. Hopkins | Mr. Savage | Mr. Veeder | |
| Mr. Clift | Mr. Hunt | Mr. Schuneman | Mr. Voorhis | |
| Mr. Coe | Mr. Johnson | Mr. Skidmore | Mr. Waren | |
| Mr. Corl | Mr. Landon | Mr. A. Smith | Mr. Westcott | |
| Mr. Crocker | Mr. C. Lansingh | Mr. H. Smith | Mr. Wolfe | 52 |

*For the Affirmative.*

| | | | | |
|---|---|---|---|---|
| Mr. Barker | Mr. Furman | Mr. C. M'Kinstry | Mr. Prevoft | |
| Mr. Bill | Mr. B. Gilbert | Mr. J. M'Kinstry | Mr. Reynolds | |
| Mr. Burr | Mr. Gray | Mr. M'Neil | Mr. Schuyler | |
| Mr. De Witt | Mr. Hall | Mr. Michean | Mr. Shurtleff | |
| Mr. Doty | Mr. King | Mr. Nexen | Mr. Speaker | |
| Mr. Fairlie | Mr. J. Lansingh | Mr. Oftrom | Mr. Van Renfselaer | 27 |
| Mr. French | Mr. M'Intyre | Mr. Philips | | |

That in proceeding to fill up the blanks in the ſaid bill, a clauſe thereof allowing an annual ſalary to the Surveyor-General was read, and a motion was made to inſert the words "*fifteen hundred*" in the blank in the ſaid clauſe, and the queſtion having been put thereon it paſſed in the negative; that a motion was then made to inſert the words "*twelve hundred and fifty*" in the ſaid blank, and the queſtion having been put thereon, it alſo paſſed in the negative; that the yeas and nays being called for by Mr. Speaker, ſeconded by Mr. Root, were as follows, viz.

*For the Negative.*

| | | | | |
|---|---|---|---|---|
| Mr. Abeel | Mr. Deitz | Mr. M'Intyre | Mr. A. Smith | |
| Mr. Adams | Mr. Dewey | Mr. Michean | Mr. H. Smith | |
| Mr. Arcularius | Mr. De Wit | Mr. Moore | Mr. John Smith | |
| Mr. Bill | Mr. Dodge | Mr. E. Mott | Mr. Snell | |
| Mr. Blake | Mr. German | Mr. W. Mott | Mr. Swart | |
| Mr. Boyd | Mr. B. Gilbert | Mr. Pearce | Mr. Tabor | |
| Mr. Bruyn | Mr. E. Gilbert | Mr. Peck | Mr. Teed | |
| Mr. Burt | Mr. Gray | Mr. Philips | Mr. S. Ten Broeck | |
| Mr. Clift | Mr. Henry | Mr. Reynolds | Mr. Van Benthuyſen | |
| Mr. Coe | Mr. Hopkins | Mr. Root | Mr. Veeder | |
| Mr. Corl | Mr. Johnſon | Mr. Schermerhorn | Mr. Voorhis | |
| Mr. Crocker | Mr. Landon | Mr. Skidmore | Mr. Waren | 50 |
| Mr. Cummings | Mr. C. Lanſingh | | | |

*For the Affirmative.*

| | | | | |
|---|---|---|---|---|
| Mr. Baldwin | Mr. Hall | Mr. Nexen | Mr. Shurtleff | |
| Mr. Barker | Mr. Heermance | Mr. Oftrom | Mr. John M. Smith | |
| Mr. Burr | Mr. Honeywell | Mr. Paine | Mr. Speaker | |
| Mr. Campbell | Mr. King | Mr. Pauling | Mr. Storm | |
| Mr. Doty | Mr. J. Lanſingh | Mr. Prevoſt | Mr. Thomas | |
| Mr. Floyd | Mr. J. M'Kinſtry | Mr. Robins | Mr. Van Renſselaer | |
| Mr. French | Mr. M'Neil | Mr. Schuyler | Mr. Wolfe | 29 |
| Mr. Furman | | | | |

That a motion was then made to inſert the words "*one thouſand*" in the ſaid blank, which was agreed to by the houſe.

Mr. Swartwout further reported, that the committee had gone through the bill, made amendments, added clauſes, filled up the blanks, added to the title the words "*and other contingent expences,*" and agreed to the ſame; which report he read in his place, and delivered the bill, amendments and clauſes in at the table, where the ſame were again read and agreed to by the Houſe.

*Ordered*, That the bill be engroſſed.

The Houſe proceeded to the conſideration of the report of the committee to whom was committed the bill entitled "An act providing for the payment of certain contingent charges of the former county of Herkimer," with the amendments therewith reported, the bill and amendments were read, and the amendments having been again read, were agreed to by the Houſe.

*Ordered*, That the amendments be engroſſed.

*Ordered*, That the committee of the whole Houſe be diſcharged from the further conſideration of the bill entitled "An act relative to the clerks office and loan officers of the former county of Herkimer," and that the ſame be committed to a committee conſiſting of the members attending this Houſe from the counties of Herkimer and Oneida.

Then the Houſe adjourned until ten o'clock to-morrow morning,

WEDNESDAY, *ten o'clock, A. M. March 20th, 1799.*

The engroſſed bill entitled "An act for the payment of certain officers of government and other contingent expences," was read the third time.

A motion was made that the ſaid bill be recommitted to a committee of the whole Houſe; debates aroſe on the ſaid motion, and the queſtion having been put thereon, it was carried in the affirmative. The yeas and nays were called for by Mr. Gray, ſeconded by Mr. Fairlie, and were as follows, viz.

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Mr. Abeel | Mr. Deitz | Mr. C. Lanſingh | Mr. Shurtleff |
| Mr. Adams | Mr. Dewey | Mr. Lefevre | Mr. A. Smith |
| Mr. Adriance | Mr. De Witt | Mr. M'Intyre | Mr. H. Smith |
| Mr. Baldwin | Mr. Doty | Mr. J. M'Kinſtry | Mr. John Smith |
| Mr. Barker | Mr. Fort | Mr. C. M'Kinſtry | Mr. Snell |
| Mr. Bill | Mr. French | Mr. W. Mott | Mr. Storm |
| Mr. Blake | Mr. Furman | Mr. Nexen | Mr. Swartwout |
| Mr. Boyd | Mr. German | Mr. Oſtrom | Mr. Teed |
| Mr. Bruyn | Mr. E. Gilbert | Mr. Paine | Mr. Thomas |
| Mr. Coe | Mr. Hogeboom | Mr. Reynolds | Mr. Van Benthuyſen |
| Mr. Comſtock | Mr. Hunt | Mr. Schermerhorn | Mr. Waren |
| Mr. Corl | Mr. Landon | Mr. Schuneman | Mr. Wolfe |
| Mr. Cummings | | | |

*For the Negative.*

| | | | |
|---|---|---|---|
| Mr. Burr | Mr. Hoag | Mr. Moore | Mr. Savage |
| Mr. Burt | Mr. Honeywell | Mr. E. Mott | Mr. Schuyler |
| Mr. Clift | Mr. Hopkins | Mr. Pauling | Mr. Skidmore |
| Mr. Crocker | Mr. Johnſon | Mr. Pearce | Mr. John M. Smith |
| Mr. Dodge | Mr. Kane | Mr. Peck | Mr. Tabor |
| Mr. Fairlie | Mr. J. Lanſingh | Mr. Philips | Mr. S. Ten Broeck |
| Mr. B. Gilbert | Mr. Lott | Mr. Prevoſt | Mr. Veeder |
| Mr. Gray | Mr. M'Neil | Mr. Robins | Mr. Voorhis |
| Mr. Heermance | Mr. Michean | Mr. Root | Mr. Weſtcott |

Thereupon *Ordered*, That the ſaid bill be recommitted to a committee of the whole Houſe.

The bill entitled "An act to regulate the paſſing of carriages, waggons, carts and ſleighs by each other in the city of New-York," was read the third time.

*Reſolved*, That the bill do paſs.

*Ordered*, That Mr. Crocker and Mr. Cummings, deliver the bill to the Hon. the Senate, and inform them that this Houſe have paſſed the bill without amendment.

The bill entitled "An act granting lands to John Johnſon," and the bill entitled "An act for the relief of James Pine," were ſeverally read the ſecond time, and committed to a committee of the whole Houſe.

A meſſage from the Hon. the Senate, deliverd by Mr. Clark and Mr. Clinton with the bill therein mentioned was read, that the Senate have paſſed the bill entitled "An act to divide the town of Cornwall in the county of Orange," to which they requeſt the concurrence of this Houſe; the ſaid bill was read the firſt time, and by unanimous conſent was alſo read the ſecond time, and committed to the members attending this houſe from the county of Orange.

A meſſage from the Hon. the Senate, delivered by Mr. Clark and Mr. Clinton with the bill, amendments and a copy of the reſolution therein mentioned was read that the Senate do adhere to their amendments to the bill entitled "An act relative to the clerks office of the ſeveral counties in this ſtate, and the examiners and clerks of the Court of Chancery," not concurred in by this Houſe. The bill and the amendments which were not concurred in by this Houſe were again read, and a motion was made that this Houſe do recede from their reſolution of non-concurrence in the ſaid amendments; Mr. Speaker put the queſtion on the ſaid motion, and it paſſed in the negative. The yeas and nays being called for by Mr. Peck, ſeconded by Mr. Van Renſſelaer, were as follows, viz.

*For the Negative.*

| | | | | |
|---|---|---|---|---|
| Mr. Abeel | Mr. Dewey | Mr. M'Intyre | Mr. John Smith | |
| Mr. Adams | Mr. German | Mr. Micheau | Mr. Snell | |
| Mr. Adriance | Mr. B. Gilbert | Mr. Moore | Mr. Swart | |
| Mr. Arcularius | Mr. E. Gilbert | Mr. W. Mott | Mr. Swartwout | |
| Mr. Baldwin | Mr. Heermance | Mr. Pearce | Mr. Tabor | |
| Mr. Blake | Mr. Hogeboom | Mr. Peck | Mr. Thomas | |
| Mr. Boyd | Mr. Hunt | Mr. Root | Mr. Van Benthuyſen | |
| Mr. Bruyn | Mr. Johnſon | Mr. Schermerhorn | Mr. Veeder | |
| Mr. Burt | Mr. King | Mr. Schuneman | Mr. Voorhis | |
| Mr. Comſtock | Mr. Landon | Mr. Skidmore | Mr. Waren | |
| Mr. Corl | Mr. C. Lanſingh | Mr. A. Smith | Mr. Weſtcott | 47. |
| Mr. Crocker | Mr. Lott | Mr. H. Smith | | |

*For the Affirmative.*

| | | | | |
|---|---|---|---|---|
| Mr. Barker | Mr. Fort | Mr. C. M'Kinſtry | Mr. Reynolds | |
| Mr. Bill | Mr. French | Mr. J. M'Kinſtry | Mr. Robins | |
| Mr. Burr | Mr. Furman | Mr. M'Neil | Mr. Savage | |
| Mr. Clift | Mr. Gray | Mr. E. Mott | Mr. Schuyler | |
| Mr. Coe | Mr. Hoag | Mr. Nexen | Mr. Shurtleff | |
| Mr. Deitz | Mr. Honeywell | Mr. Oſtrom | Mr. John M. Smith | |
| Mr. De Witt | Mr. Hopkins | Mr. Paine | Mr. Storm | |
| Mr. Dodge | Mr. Kane | Mr. Pauling | Mr. Teed | |
| Mr. Doty | Mr. J. Lanſingh | Mr. Philips | Mr. Van Renſſelaer | |
| Mr. Fairlie | Mr. Lefevre | Mr. Prevoſt | Mr. Wolfe | 40. |

Mr. Prevoſt gave notice that he would to-morrow move a reconſideration of the ſaid queſtion.

A petition of James Moore, of the town of Homer, in the county of Onondaga, relative to the title to a lot of land in the military tract, was read and committed to the committee of the whole Houſe, when on the bill entitled "An act to explain certain reſolutions of the Senate and Aſſembly, relative to perſons entitled to bounty lands."

*Ordered*, That the committee of the whole Houſe be diſcharged from the further conſideration of the bill entitled "An act to enable certain perſons therein named to purchaſe and hold real eſtates within this ſtate," and that the ſame be committed to Mr. Van Renſſelaer, Mr. Wolfe and Mr. John M. Smith.

Mr. M'Neil from the committee to whom was committed the bill entitled "An act relative to the clerk's office and loan officers of the former county of Herkimer," reported, that the committee had gone through the bill and agreed to the ſame without amendment; which report he read in his place, and delivered the bill in at the table, where it was again read and agreed to by the Houſe, and the bill ordered the third reading.

*Ordered*, That the committee of the whole Houſe be diſcharged from the further conſideration of the bill entitled "An act making proviſion to keep in repair the bridge over Schoharie creek at Fort Hunter, in the county of Montgomery," and that the ſame be committed to the members attending this Houſe from the counties of Montgomery and Schoharie.

Mr. Weſtcott from the committee to whom was referred the petition of certain militia officers in the county of Orange, reported, that the committee have obtained the opinion of the field officers of the two regiments to which the petitioners belong, and agree with them that the propoſed arrangement would not promote the military intereſt of the country. It would diminiſh both the aforeſaid regiments to numbers inconvenient and diſproportioned; and as the oſtenſible reaſon of diſtance can only apply to two ſmall companies; and as the committee have the fulleſt aſſurances that the commandants of the ſaid regiments will remedy this inconvenience as far as poſſible; they are of opinion the prayer of the petitioners ought not to be granted.

*Reſolved*, That this Houſe do agree with the committee in their ſaid report.

Mr. Burt from the committee to whom was referred the petition of John Suffern and others, reported, that the committee have conſidered the ſeveral objects of the petition, and are of opinion, that it is unneceſſary to grant the firſt requeſt of the petitioners, in as much as there are at preſent two terms of the courts of common pleas, which the committee are informed afford ſufficient time to compleat all the

buſineſs which will come before the court. The only conſideration then that c
render an additional term neceſſary, is the delay of juſtice. To obviate this difficul
ty, it has been ſuggeſteſt to the committee that it is within the power of the court t
adopt ſuch rules as will be adequate to the purpoſe.

The petitioners further pray, that the Legiſlature will direct ſuch records as ar
in the office of the clerk of the county of Orange, and which may in any way con
cern the county of Rockland, to be tranſcribed for the uſe of the ſaid couty of Rock
land, and that the expenſe thereof be defrayed by the two counties jointly. Th
committee, on this ſubject, are of opinion, that this proviſion will be unneceſſary
as it muſt be attended with conſiderable expenſe, and they are by no means prepare
to ſay it would be juſt for the county of Orange to bear ſo conſiderable a burthe
without the remoteſt intereſt. The records are now kept, and will probably be con
tinued where they were before the diviſion of the county, and the inhabitants o
Rockland can at all times have acceſs to them; it follows then that they will ſuffer no
greater inconvenience than they have heretofore experienced: to this may be added
that the repreſentation from Rockland acceded to the diviſion on the terms expreſſ
ed in the law for that purpoſe. The committee are therefore of opinion, that thi
part of the petition ought not to be granted.

The petitioners laſtly pray that ſuch ſuits at law as were commenced in the court
of the county of Orange before the diviſion, the parties to which now reſide in the
county of Rockland, ſhould be by law directed to be tried in the ſaid county of
Rockland. The committee are of opinion that this requeſt is reaſonable and ought
to be granted; but the advanced period of the ſeſſion and the quantity of unfiniſh
ed buſineſs now before the Houſe, induces the committee to believe that no bill for
that purpoſe can paſs at the preſent ſeſſion of the Legiſlature.

*Reſolved*, That this Houſe do agree with the committee in their ſaid report.

Mr. J. Lanſingh from the committee to whom was referred the petition of Robert
M'Clallen and others, praying an alteration in the charter of the city of Albany, re
ported, that the petition having come in at ſo late an hour, and the buſineſs reported
to be taken up being more than ſufficient to be accompliſhed before the adjourn
ment of the Legiſlature; it therefore appears to the committee, that as the matter
contemplated in the ſaid petition is of conſiderable magnitude, it could not be en
tered into with that candid and deliberate diſcuſſion which it deſerves, the ſeſſion be
ing ſo near a cloſe, and therefore ſuggeſt that the petitioners have leave to withdraw
their petition.

*Reſolved*, That this Houſe do agree with the committee in their ſaid report.

*Ordered*, That the ſaid petitioners have leave to withdraw their petition.

Mr. Swartwout from the committee of the whole Houſe on the bill entitled "An
act for the payment of certain officers of government, and other contingent ex
penſes," reported, that in proceeding in the ſaid bill, Mr. Comſtock made a motion
for a clauſe to be added to the ſaid bill in the words following, viz.

And be it further enacted, That the Treaſurer ſhall, on the warrant of the Comp
troller, pay to the Secretary of this ſtate, out of any money in the Treaſury not
otherwiſe appropriated, the ſum of in full compenſation for his ſervices in
his ſaid office, from the 1ſt day of July laſt to the 1ſt day of July next, including
the yearly rent of the houſe in the city of New-York, belonging to the people of this
ſtate, lately occupied by the late Secretary of this ſtate, and no more, any law to
the contrary notwithſtanding.

That debates were had on the ſaid motion, and the queſtion having been put
thereon, it paſſed in the negative; that the yeas and nays were called for by Mr.
Speaker, ſeconded by Mr. Van Benthuyſen, and were as follows, viz.

*For the Negative.*

| | | | |
|---|---|---|---|
| Mr. Barker | Mr. French | Mr. J. M'Kinſtry | Mr. Schermerhorn |
| Mr. Bill | Mr. Furman | Mr. M'Neil | Mr. Schuyler |
| Mr. Burr | Mr. Gates | Mr. Micheau | Mr. Shurtleff |
| Mr. Campbell | Mr. B. Gilbert | Mr. E. Mott | Mr. Skidmore |
| Mr. Clift | Mr. Heermance | Mr. Nexen | Mr. John M. Smith |
| Mr. Crocker | Mr. Henry | Mr. Paine | Mr. Philip Smith |
| Mr. Cummings | Mr. Hoag | Mr. Pauling | Mr. Speaker |
| Mr. Deitz | Mr. Hopkins | Mr. Philips | Mr. Storm |
| Mr. De Witt | Mr. Johnſon | Mr. Prevoſt | Mr. Teed |
| Mr. Dodge | Mr. Kane | Mr. Reynolds | Mr. Van Renſſelaer |
| Mr. Doty | Mr. J. Lanſingh | Mr. Robins | Mr. Wolfe |
| Mr. Fairlie | Mr. Lott | | |

*For the Affirmative.*

| | | | | |
|---|---|---|---|---|
| Mr. Adams | Mr. Corl | Mr. Lefevre | Mr. John Smith | |
| Mr. Adriance | Mr. Floyd | Mr. M'Intyre | Mr. Snell | |
| Mr. Arcularius | Mr. Fort | Mr. Moore | Mr. Swart | |
| Mr. Baldwin | Mr. German | Mr. W. Mott | Mr. Tabor | |
| Mr. Blake | Mr. E. Gilbert | Mr. Oſtrom | Mr. Thomas | |
| Mr. Boyd | Mr. Gray | Mr. Pearce | Mr. Van Benthuyſen | |
| Mr. Bruyn | Mr. Hogeboom | Mr. Peck | Mr. Veeder | |
| Mr. Burt | Mr. Honeywell | Mr. Savage | Mr. Voorhis | |
| Mr. Clark | Mr. Hunt | Mr. Schuneman | Mr. Waren | |
| Mr. Coe | Mr. Landon | Mr. A. Smith | Mr. Weſtcott | 43 |
| Mr. Comſtock | Mr. C. Lanſingh | Mr. H. Smith | | |

That Mr. Fairlie then made a motion for a clauſe to be added to the ſaid bill in the words following, viz.

And be it further enacted, That from the firſt day of July laſt to the firſt day of July next, there ſhall be allowed to the ſeveral officers of government hereafter mentioned, in addition to the annual ſalaries now allowed them reſpectively, in and by the act entitled "An act for the ſupport of government," the following ſums, to wit, to the Governor or perſon adminiſtering the government of this ſtate, ; to the Chancellor ; to the Chief Juſtice and each of the other Juſtices of the Supreme Court, ; to the Secretary of the State,

That the queſtion having been put on the ſaid motion, it paſſed in the negative: that the yeas and nays were called for by Mr. Boyd, ſeconded by Mr. Thomas, and were as follows, viz.

*For the Negative.*

| | | | | |
|---|---|---|---|---|
| Mr. Abeel | Mr. Dewey | Mr. J. Lanſingh | Mr. H. Smith | |
| Mr. Adams | Mr. Dodge | Mr. Lefevre | Mr. John Smith | |
| Mr. Adriance | Mr. Floyd | Mr. M'Intyre | Mr. John M. Smith | |
| Mr. Baldwin | Mr. Fort | Mr. C. M'Kinſtry | Mr. Philip Smith | |
| Mr. Blake | Mr. B. Gilbert | Mr. Moore | Mr. Snell | |
| Mr. Boyd | Mr. E. Gilbert | Mr. E. Mott | Mr. Swart | |
| Mr. Bruyn | Mr. Gray | Mr. W. Mott | Mr. Tabor | |
| Mr. Burr | Mr. Henry | Mr. Pearce | Mr. Teed | |
| Mr. Burt | Mr. Hoag | Mr. Peck | Mr. S. Ten Broeck | |
| Mr. Clark | Mr. Honeywell | Mr. Philips | Mr. Thomas | |
| Mr. Clift | Mr. Hopkins | Mr. Savage | Mr. Van Benthuyſen | |
| Mr. Coe | Mr. Johnſon | Mr. Schermerhorn | Mr. Veeder | |
| Mr. Comſtock | Mr. Kane | Mr. Schuneman | Mr. Voorhis | |
| Mr. Corl | Mr. Landon | Mr. Skidmore | Mr. Weſtcot | 59 |
| Mr. Crocker | Mr. C. Lanſingh | Mr. A. Smith | | |

*For the Affirmative.*

| | | | | |
|---|---|---|---|---|
| Mr. Arcularius | Mr. French | Mr. Micheau | Mr. Robins | |
| Mr. Barker | Mr. Furman | Mr. Nexen | Mr. Schuyler | |
| Mr. Bill | Mr. Gates | Mr. Oſtrom | Mr. Shurtleff | |
| Mr. Campbell | Mr. German | Mr. Paine | Mr. Speaker | |
| Mr. Cummings | Mr. Hunt | Mr. Pauling | Mr. Storm | |
| Mr. De Witt | Mr. Lott | Mr. Prevoſt | Mr. Van Renſſelaer | |
| Mr. Doty | Mr. J. M'Kinſtry | Mr. Reynolds | Mr. Wolfe | 30 |
| Mr. Fairlie | Mr. M'Neil | | | |

That Mr. Fairlie then made a motion for a clauſe to be added to the ſaid bill in the words following, viz.

And be it further enacted, That the Treaſurer ſhall pay to each member of the Senate and Aſſembly, and their attendant officers, in coming from and returning to their reſpective places of reſidence, at the preſent ſeſſion, for travelling at the rate of twenty miles per day, ; any law to the contrary notwithſtanding.

That the queſtion having been put on the ſaid motion, it was carried in the affirmative. That the yeas and nays were called for by Mr. Boyd, ſeconded by Mr. Abeel, and were as follows, viz.

*For the Affirmative.*

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|---|---|---|---|
| Mr. Adams | Mr. Dodge | Mr. Johnſon | Mr. Prevoſt |
| Mr. Adriance | Mr. Doty | Mr. Kane | Mr. Robins |
| Mr. Arcularius | Mr. Fairlie | Mr. King | Mr. Root |
| Mr. Baldwin | Mr. French | Mr. C. Lanſingh | Mr. H. Smith |
| Mr. Blake | Mr. Furman | Mr. Lefevre | Mr. John M. Smith |
| Mr. Bruyn | Mr. Gates | Mr. Lott | Mr. Philip Smith |
| Mr. Burt | Mr. German | Mr. M'Intyre | Mr. Snell |
| Mr. Campbell | Mr. B. Gilbert | Mr. J. M'Kinſtry | Mr. Speaker |
| Mr. Clark | Mr. E. Gilbert | Mr. M'Neil | Mr. Storm |
| Mr. Clift | Mr. Heermance | Mr. Moore | Mr. S. Ten Broeck |
| Mr. Comſtock | Mr. Henry | Mr. W. Mott | Mr. Van Renſſelaer |
| Mr. Corl | Mr. Hogeboom | Mr. Nexen | Mr. Veeder |
| Mr. Cummings | Mr. Honeywell | Mr. Oſtrom | Mr. Voorhis |
| Mr. Deitz | Mr. Hopkins | Mr. Paine | Mr. Weſtcott |
| Mr. Dewey | Mr. Hunt | Mr. Philips | Mr. Wolfe |
| Mr. De Witt | | | |

*For the Negative.*

| | | | |
|---|---|---|---|
| Mr. Abeel | Mr. Floyd | Mr. Pauling | Mr. A. Smith |
| Mr. Barker | Mr. Fort | Mr. Pearce | Mr. John Smith |
| Mr. Bill | Mr. Gray | Mr. Peck | Mr. Swart |
| Mr. Boyd | Mr. Hoag | Mr. Reynolds | Mr. Tabor |
| Mr. Burr | Mr. Landon | Mr. Savage | Mr. Teed |
| Mr. Coe | Mr. C. M'Kinstry | Mr. Schermerhorn | Mr. Thomas |
| Mr. Crocker | Mr. E. Mott | Mr. Skidmore | Mr. Van Benthuysen |

That Mr. Root then made a motion for a clause to be added to the said bill in th words following, viz.

And be it further enacted, That there shall be allowed to the clerk of the Senat and the clerk of the Assembly each a day for their services during their at tendance on the Legislature, in addition to their compensation as allowed by law.

That the question having been put on the said motion, it was carried in the af firmative.

That a motion was then made to insert the words "*one dollar and fifty cents*," i the blank in the said clause; that the question having been put thereon, it passe in the negative. That the yeas and nays were called for by Mr. Peck, seconde by Mr. Bruyn, and were as follows, viz.

*For the Negative.*

| | | | |
|---|---|---|---|
| Mr. Abeel | Mr. Corl | Mr. Landon | Mr. A. Smith |
| Mr. Adams | Mr. Crocker | Mr. Lefevre | Mr. H. Smith |
| Mr. Arcularius | Mr. Cummings | Mr. C. M'Kinstry | Mr. John Smith |
| Mr. Baldwin | Mr. Deitz | Mr. Michean | Mr. Swart |
| Mr. Bill | Mr. Dewey | Mr. W. Mott | Mr. Tabor |
| Mr. Blake | Mr. Floyd | Mr. Pearce | Mr. S. Ten Broeck |
| Mr. Boyd | Mr. Fort | Mr. Peck | Mr. Thomas |
| Mr. Bruyn | Mr. German | Mr. Philips | Mr. Van Benthuysen |
| Mr. Burt | Mr. B. Gilbert | Mr. Prevoft | Mr. Veeder |
| Mr. Clark | Mr. E. Gilbert | Mr. Root | Mr. Voorhis |
| Mr. Clift | Mr. Gray | Mr. Schuneman | Mr. Waren |
| Mr. Coe | Mr. Hopkins | Mr. Skidmore | Mr. Wefcott |
| Mr. Comstock | Mr. Kane | | |

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Mr. Barker | Mr. Hoag | Mr. Lott | Mr. Paine |
| Mr. Campbell | Mr. Hogeboom | Mr. M'Intyre | Mr. Robins |
| Mr. Dodge | Mr. Honeywell | Mr. J. M'Kinstry | Mr. Schermerhorn |
| Mr. Doty | Mr. Johnson | Mr. M'Neil | Mr. John M. Smith |
| Mr. Fairlie | Mr. King | Mr. Moore | Mr. Speaker |
| Mr. French | Mr. C. Lansingh | Mr. Nexen | Mr. Storm |
| Mr. Furman | Mr. J. Lansingh | Mr. Oftrom | Mr. Van Renselaer |

That a motion was then made to insert the words "*one dollar and twenty-five cents*" in the said blank, and the question having been put thereon, it also passed in th negative. That the yeas and nays were called for by Mr. Peck, seconded by Mr Bruyn, and were as follows, viz.

*For the Negative.*

| | | | |
|---|---|---|---|
| Mr. Adams | Mr. Cummings | Mr. C. M'Kinstry | Mr. John Smith |
| Mr. Blake | Mr. Dewey | Mr. Micheau | Mr. Snell |
| Mr. Boyd | Mr. Floyd | Mr. W. Mott | Mr. Tabor |
| Mr. Bruyn | Mr. Gates | Mr. Pearce | Mr. Teed |
| Mr. Burt | Mr. German | Mr. Peck | Mr. Thomas |
| Mr. Clark | Mr. B. Gilbert | Mr. Philips | Mr. Van Benthuysen |
| Mr. Clift | Mr. E. Gilbert | Mr. Savage | Mr. Veeder |
| Mr. Coe | Mr. Hopkins | Mr. Schuneman | Mr. Voorhis |
| Mr. Comstock | Mr. Kane | Mr. A. Smith | Mr. Waren |
| Mr. Corl | Mr. Landon | Mr. H. Smith | Mr. Wefcott |
| Mr. Crocker | Mr. J Lansingh | | |

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Mr. Abeel | Mr. French | Mr. M'Intyre | Mr. Schuyler |
| Mr. Arcularius | Mr. Furman | Mr. J. M'Kinstry | Mr. Skidmore |
| Mr. Baldwin | Mr. Henry | Mr. M'Neil | Mr. John M. Smith |
| Mr. Barker | Mr. Hoag | Mr. Moore | Mr. Philip Smith |
| Mr. Bill | Mr. Hogeboom | Mr. Nexen | Mr. Speaker |
| Mr. Campbell | Mr. Johnson | Mr. Oftrom | Mr. Storm |
| Mr. Deitz | Mr. King | Mr. Paine | Mr. Swart |
| Mr. Dodge | Mr. C. Lansingh | Mr. Robins | Mr. S. Ten Broeck |
| Mr. Doty | Mr. Lefevre | Mr. Root | Mr. Van Renselaer |
| Mr. Fairlie | Mr. Lott | Mr. Schermerhorn | |

That a motion was then made to insert the words "*one dollar*" in the said blank which was agreed to by the committee, and the words "*one dollar*" were accordingly written in the said blank.

Mr. Swartwout further reported, that the committee had gone through the bill, added clauſes and agreed to the ſame, which he was directed to report to the Houſe; and he read the report in his place, and delivered the bill with the added clauſes in at the table, where the ſame were again read and agreed to by the Houſe.

*Ordered*, That the bill be engroſſed.

Mr. Burt from the committee to whom was committed the bill entitled "An act to divide the town of Cornwall, in the county of Orange," reported, that the committee had gone through the bill and agreed to the ſame without amendment; which report he read in his place, and delivered the ſame in at the table, where it was again read and agreed to by the Houſe, and the bill ordered a third reading.

A meſſage from the Hon. the Senate, delivered by Mr. Clinton and Mr. Gettman, with the bill therein mentioned was read, that the Senate have paſſed the bill entitled "An act to incorporate a part of Stephentown for the purpoſes therein mentioned," without amendment.

*Ordered*, That Mr. Deitz and Mr. Dewey, deliver the bill to the Hon. the Council of Reviſion.

A meſſage from the Hon. the Senate, alſo delivered by Mr. Clinton and Mr. Gettman, with the bill and amendments therein mentioned was read, that the Senate have paſſed the bill entitled "An act to aſcertain the line of diviſion between the towns of Trenton and Remſen in the county of Onieda, and for other purpoſes," with the amendments therewith delivered.

*Ordered*, That the conſideration of the ſaid amendments be poſtponed.

Mr. Storm from the committee of the whole Houſe, on the bill entitled "An act altering the times of holding the courts of common pleas and general ſeſſions of the peace in certain counties therein mentioned, and relative to the circuit court in the county of Renſſelaer," reported, that the committee had gone through the bill, made amendments and agreed to the ſame; which report he read in his place, and delivered the bill and amendments in at the table, where the ſame were again read and agreed to by the Houſe.

*Ordered*, That the amendments be engroſſed.

Mr. Prevoſt from the committee of the whole Houſe on the bill entitled "An act for the relief of purchaſers of lands in the late Oneida, Onondaga and Cayuga reſervations," reported, that after the ſaid bill had been read in the committee, and debates had thereon, Mr. Bill made a motion for a reſolution, which was agreed to by the committee, and is in the words following, viz.

*Reſolved*, as the ſenſe of this committee, That the following concurrent reſolution be reported to this Houſe relative to the ſubject matter now before this committee, viz.

*Reſolved*, (if the Hon. the Senate concur herein) That the Comptroller be, and he is hereby directed to ſtay all proceedings on the behalf of the people of this ſtate againſt the purchaſers of lands in the Oneida, Onondaga and Cayuga reſervations until ſixty days after the next meeting of the Legiſlature.

Which he was directed to report to the Houſe, and he read the report in his place, and delivered the ſame in at the table, where it was again read and agreed to by the Houſe: Thereupon,

*Reſolved*, (if the Hon. the Senate concur herein) That the Comptroller be, and he is hereby directed to ſtay all proceedings on the behalf of the people of this ſtate againſt the purchaſers of lands in the Oneida, Onondaga and Cayuga reſervations until ſixty days after the next meeting of the Legiſlature.

*Ordered*, That Mr. Dewey and Mr. De Witt deliver a copy of the preceding reſolution to the Hon. the Senate.

Mr. Weſtcott from the committee of the whole Houſe, on the bill entitled "An act to regulate the employment of convicts in the State-Priſon," reported, that after the ſaid bill had been read in the committee, Mr. Comſtock made a motion that the committee ſhould agree to reject the ſame; that debates were had, and the queſtion having been put thereon, it was carried in the affirmative. That the yeas and nays were called for by Mr. Robins, ſeconded by Mr. Wolfe, and were as follows, viz.

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Mr. Abeel | Mr. De Witt | Mr. King | Mr. Root |
| Mr. Adams | Mr. Doty | Mr. C. Lanſingh | Mr. Schermerhorn |
| Mr. Barker | Mr. Fort | Mr. J. Lanſingh | Mr. Schuyler |
| Mr. Bill | Mr. German | Mr. Lefevre | Mr. Shurtleff |
| Mr. Bruyn | Mr. B. Gilbert | Mr. M'Neil | Mr. H. Smith |
| Mr. Clark | Mr. E. Gilbert | Mr. E. Mott | Mr. John M. Smith |
| Mr. Clift | Mr. Gray | Mr. Oſtrom | Mr. Speaker |
| Mr. Comſtock | Mr. Heermance | Mr. Pauling | Mr. Swart |
| Mr. Corl | Mr. Hoag | Mr. Peck | Mr. Teed |
| Mr. Crocker | Mr. Hogeboom | Mr. Philips | Mr. S. Ten Broeck |
| Mr. Deitz | Mr. Hopkins | Mr. Reynolds | Mr. Thomas |
| Mr. Dewey | | | 45 |

*For the Negative.*

| | | | |
|---|---|---|---|
| Mr. Adriance | Mr. Furman | Mr. Moore | Mr. John Smith |
| Mr. Arcularius | Mr. Honeywell | Mr. W. Mott | Mr. Snell |
| Mr. Baldwin | Mr. Johnſon | Mr. Nexen | Mr. Storm |
| Mr. Blake | Mr. Landon | Mr. Prevoſt | Mr. Swartwout |
| Mr. Boyd | Mr. Lott | Mr. Robins | Mr. Tabor |
| Mr. Burr | Mr. M'Intyre | Mr. Savage | Mr. Van Benthuyſen |
| Mr. Dodge | Mr. C. M'Kinſtry | Mr. Skidmore | Mr. Veeder |
| Mr. Fairlie | Mr. Micheau | Mr. A. Smith | Mr. Wolfe |
| Mr. Floyd | | | 33 |

That it was thereupon reſolved as the ſenſe of the committee, that the bill ſhould be rejected, which he was directed to report to the Houſe; and he read the report in his place, and delivered the ſame in at the table, where it was again read and agreed to by the Houſe: Thereupon,

*Reſolved*, That the ſaid bill be and the ſame is hereby rejected.

Then the Houſe adjourned until ten o'clock to-morrow morning.

THURSDAY, *ten o'clock, A. M. March 21ſt*, 1799.

The engroſſed bill entitled "An act for the payment of certain officers of government and other contingent expences," was read the third time.

Mr. M'Neil made a motion that the Houſe ſhould agree to add a clauſe to the ſaid bill in the words following, viz.

And be it further enacted, That the Treaſurer ſhall pay on the warrant of the Comptroller to the Governor's private Secretary, the ſum of dollars, in addition to his compenſation allowed by law.

Mr. Speaker put the queſtion whether the houſe did agree to the ſaid motion, and it paſſed in the negative. The yeas and nays were called for by Mr. Comſtock, ſeconded by Mr. Root, and were as follows, viz.

*For the Negative.*

| | | | |
|---|---|---|---|
| Mr. Abeel | Mr. Dewey | Mr. C. Lanſingh | Mr. Schuneman |
| Mr. Adams | Mr. De Witt | Mr. Lefevre | Mr. Skidmore |
| Mr. Adriance | Mr. Dodge | Mr. C. M'Kinſtry | Mr. A. Smith |
| Mr. Arcularius | Mr. Floyd | Mr. Moore | Mr. H. Smith |
| Mr. Blake | Mr. Fort | Mr. E. Mott | Mr. John Smith |
| Mr. Boyd | Mr. Gates | Mr. W. Mott | Mr. Snell |
| Mr. Bruyn | Mr. B. Gilbert | Mr. Nexen | Mr. Swart |
| Mr. Burt | Mr. E. Gilbert | Mr. Pauling | Mr. Swartwout |
| Mr. Clark | Mr. Gray | Mr. Pearce | Mr. Tabor |
| Mr. Clift | Mr. Henry | Mr. Philips | Mr. Teed |
| Mr. Comſtock | Mr. Honeywell | Mr. Reynolds | Mr. S. Ten Broeck |
| Mr. Corl | Mr. Hopkins | Mr. Robins | Mr. Voorhis |
| Mr. Crocker | Mr. Hunt | Mr. Root | Mr. Waren |
| Mr. Cummings | Mr. Johnſon | Mr. Schermerhorn | Mr. Weſtcott |
| Mr. Deitz | Mr. Landon | | 38 |

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Mr. Barker | Mr. French | Mr. M'Neil | Mr. Shurtleff |
| Mr. Bill | Mr. Furman | Mr. Micheau | Mr. John M. Smith |
| Mr. Coe | Mr. Heermance | Mr. Oſtrom | Mr. Thomas |
| Mr. Fairlie | Mr. Hogeboom | Mr. Savage | Mr. Wolfe |
| | | | 18 |

Mr. Speaker then put the queſtion whether the ſaid bill ſhould paſs, and it was carried in the affirmative: Thereupon,

*Reſolved*, That the bill do paſs.

*Ordered*, That Mr. Deitz and Mr. Dewey, deliver the bill to the Hon. the Sen-
e, and requeſt their concurrence.

The bill entitled "An act for the payment of certain contingent charges of the
mer county of Herkimer," with the engroſſed amendments, was read the third
me.

*Reſolved*, That the bill do paſs.

The bill entitled "An act altering the times of holding the courts of common pleas
d general ſeſſions of the peace in certain counties therein mentioned, and relative
the circuit court in the county of Renſſelaer," with the engroſſed amendments,
as read the third time.

*Reſolved*, That the bill do paſs.

*Ordered*, That Mr. Deitz and Mr. Dewey, deliver the two laſt mentioned bills
ith the amendments thereto reſpectively, to the Hon. the Senate, and inform them
at this Houſe have paſſed the ſaid bills reſpectively, with the amendments therewith
elivered.

The bill entitled "An act relative to the clerks office and loan officers of the form-
county of Herkimer," was read the third time.

*Reſolved*, That the bill do paſs.

The bill entitled "An act to divide the town of Cornwall in the county of Orange,"
as read the third time.

*Reſolved*, That the bill do paſs.

*Ordered*, That Mr. Dewey and Mr. De Witt, deliver the two laſt mentioned bills
the Hon. the Senate, and inform them that this Houſe have paſſed the ſaid bills
ſpectively, without amendment.

A petition of Walter Briggs of the town of Duaneſburgh, in the county of Alba-
y, relative to the line of diviſion between the counties of Albany and Schoharie,
as read and referred to Mr. Doty, Mr. Swart and Mr. Shurtleff.

Mr. Root from the ſelect committee to whom was committed the bill entitled "An
t to encourage the building of a bridge acroſs the Schoharie kill, near the houſe of
atinus Laraway," reported, that the committee had gone through the bill, and
reed to the ſame without amendment; which report he read in his place, and de-
ered the bill in at the table, where it was again read: Thereupon,

*Ordered*, That the ſaid bill be recommitted to a committee of the whole Houſe.

*Ordered*, That the committee of the whole Houſe be diſcharged from the further
nſideration of the bill entitled "An act authorizing the raiſing money in the city
Hudſon to defray certain expences therein," and the bill entitled "An act to au-
horize the raiſing a further ſum of money to complete the court houſe and gaol in
e county of Schoharie," and that the ſaid bills be reſpectively committed to Mr.
opkins, Mr. Swart and Mr. Comſtock.

Mr. S. Ten Broeck from the committee to whom was referred the petition of
enjamin Birdſall and others, reported, that they have examined into the merits of
e ſaid petition, and notwithſtanding that it may be a deſirable object for the inha-
tants of the towns of Livingſton and Hillsdale, to get the diviſion line between the
wns aforeſaid ſettled; yet as no documents have been laid before the committee to
ect or enable them to point out a juſt mode of determining ſaid diviſion line, and
the ſeſſion is drawing near a cloſe, they are of opinion that the conſideration of
id petition be poſtponed until the next ſeſſion of the Legiſlature.

*Reſolved*, That this Houſe do agree with the committee in their ſaid report.

The Houſe proceeded to the conſideration of the amendments of the Hon. the
enate, to the bill entitled "An act to aſcertain the line of diviſion between the
wns of Trenton and Remſen, in the county of Oneida, and for other purpoſes."
he bill with the amendments were read; one of the amendments is to add to the
le "and for incorporating an aqueduct aſſociation in Whiteſborough in ſaid coun-
," and the amendments having been read a ſecond time, were concurred in by
e Houſe, and the bill ordered to be amended accordingly.

*Ordered*, That Mr. Dodge and Mr. Doty, deliver the bill to the Hon. the Senate,
d inform them that this Houſe have concurred in their amendments to the ſaid
ll, and that the ſame is amended accordingly.

Mr. Shurtleff from the committee to whom was referred the petition of Myndert A. Wemple and others," reported, that after a minute inveſtigation of all the circumſtances, they find the following ſtate of facts; that Myndert Wemple late of Caugnawaga, deceaſed, by his will dated January 30, 1762, bequeathed to his four ſons his real eſtate, with directions that they ſhould diſcharge his juſt debts; that Andries Wemple one of the ſaid ſons, received his proportion of ſaid eſtate, and was afterwards convicted of adhering to the enemies of this State, conſequently his eſtate was confiſcated and ſold by the commiſſioners of forfeitures for the weſtern diſtrict, as follows: on the 23d September, 1782, Jacob G. Klock and Henry Oothout, ſold to Chriſtopher Yates, property to amount of twenty-five pounds, and on the 23d June, 1785, Henry Oothout, Jeremiah Van Renſſelaer and Chriſtopher Yates, ſold to Myndert R. Wemple further property of ſaid Andries Wemple, to amount of three hundred and thirty-five pounds, making in the whole the amount of three hundred and ſixty pounds. The petitioners have produced to the committee vouchers that they have paid the debts of Myndert Wemple, deceaſed; and that one quarter part thereof, after deducting the debts due to ſaid eſtate, amounted to ſixty-eight pounds eighteen ſhillings and four pence three farthings, on which ſum the petitioners conceive they are entitled to intereſt from the time of ſale of the eſtate of ſaid Andries Wemple, which would make the whole amount one hundred and thirty-five pounds four ſhillings and ten pence half penny. The committee further report, that they have applied to the proper officers, and cannot find any part of the ſaid ſum of three hundred and ſixty pounds to have been accounted for to this ſtate, except the amount of the firſt ſale of twenty-five pounds.

*Ordered*, That the conſideration of the ſaid report be poſtponed until to-morrow.

A meſſage from the Hon. the Senate, delivered by Mr. Gettman and Mr. Frey with the bill therein mentioned was read, that the Senate have paſſed the bill entitled "An act to veſt certain powers in the freeholders and inhabitants of the village of Poughkeepſie," without amendment.

*Ordered*, That Mr. De Witt and Mr. Dodge deliver the bill to the Hon. the Council of Reviſion.

Mr. M'Intyre from the committee to whom was committed the bill entitled "An act to provide for the erection of a bridge acroſs the Schoharie creek near Fort Hunter, in the county of Montgomery," reported, that the committee had gone through the bill, added a clauſe and agreed to the ſame; which he was directed to report to the Houſe, and he read the report in his place, and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

*Ordered*, That the bill be engroſſed.

Mr. Heermance from the committee of the whole Houſe, on the bill entitled "An act to amend the laws for the partition of lands," reported progreſs, and obtained leave to ſit again.

Mr. Hopkins from the committee to whom were referred the bill entitled "An act authorizing the raiſing money in the city of Hudſon to defray certain expenſes therein," and the bill entitled "An act to authorize the raiſing a further ſum of money to compleat the court-houſe and gaol in the county of Schoharie," reported that in the 9th ſection of the conſtitution of this ſtate, it is, amongſt other things declared, that the Aſſembly ſhall "enjoy the ſame privileges, and proceed in doing buſineſs in like manner as the aſſemblies of the colony of New-York of right formerly did;" that in examining the journal of the Aſſembly of the late colony of New-York the committee find that the ſaid Aſſembly ever claimed and actually enjoyed the excluſive right of originating bills for levying taxes; that by a fair conſtruction of the before recited clauſe in the conſtitution, the right of originating bills for levying and collecting taxes belongs excluſively to this Houſe. The committee are therefore unanimouſly of opinion that both the ſaid engroſſed bills ought to be rejected. The committee further report, that in their opinion a committee ſhould be appointed to prepare and bring in two bills for the purpoſes mentioned in the ſaid engroſſed bills. Mr. Hopkins read the report in his place, and delivered the ſame in at the table, where it was again read; and the queſtion having been put, whether the Houſe did agree with the committee in their ſaid report, it was carried in the affirmative. The yeas and nays being called for by Mr. Swartwout, ſeconded by Mr. Burt, were as follows, viz.

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Mr. Adams | Mr. Fairlie | Mr. M'Intyre | Mr. A. Smith |
| Mr. Abeel | Mr. Floyd | Mr. C. M'Kinstry | Mr. H. Smith |
| Mr. Adriance | Mr. Fort | Mr. J. M'Kinstry | Mr. John Smith |
| Mr. Arcularius | Mr. French | Mr. M'Neil | Mr. John M. Smith |
| Mr. Baldwin | Mr. Furman | Mr. Michean | Mr. Philip Smith |
| Mr. Barker | Mr. B. Gilbert | Mr. Moore | Mr. Snell |
| Mr. Blake | Mr. E. Gilbert | Mr. E. Mott | Mr. Storm |
| Mr. Boyd | Mr. Gray | Mr. W. Mott | Mr. Swart |
| Mr. Burt | Mr. Heermance | Mr. Nexen | Mr. Tabor |
| Mr. Clark | Mr. Henry | Mr. Oftrom | Mr. Teed |
| Mr. Clift | Mr. Hogeboom | Mr. Pauling | Mr. S. Ten Broeck |
| Mr. Comstock | Mr. Honeywell | Mr. Pearce | Mr. Thomas |
| Mr. Corl | Mr. Hopkins | Mr. Peck | Mr. Van Benthuysen |
| Mr. Crocker | Mr. Hunt | Mr. Philips | Mr. Van Rensselaer |
| Mr. Cummings | Mr. Johnson | Mr. Root | Mr. Veeder |
| Mr. Deitz | Mr. Landon | Mr. Savage | Mr. Voorhis |
| Mr. Dewey | Mr. C. Lansingh | Mr. Schermerhorn | Mr. Waren |
| Mr. Dodge | Mr. Lefevre | Mr. Schuneman | Mr. Westcott |
| Mr. Doty | Mr. Lott | Mr. Skidmore | Mr. Wolfe 76 |

*For the Negative.*

| | | | |
|---|---|---|---|
| Mr. German | Mr. J. Lansingh | Mr. Robins | Mr. Shurtleff |
| Mr. King | Mr. Reynolds | Mr. Schuyler | Mr. Swartwout 8 |

Thereupon, *Resolved*, That the said bills be, and the same are hereby respectively rejected.

*Ordered*, That the same committee do prepare and bring in bills agreeably to their report.

Mr. Baldwin from the committee of the whole House on the bill entitled "An act providing for the election of electors of a President and Vice-President of the United States," reported, that after the said bill had been read in the committee, Mr. Shurtleff made a motion that the committee should agree to reject the same; that debates were had, and the question having been put thereon, it passed in the negative; that the yeas and nays were called for by Mr. Van Rensselaer, seconded by Mr. French, and were as follows, viz.

*For the Negative.*

| | | | |
|---|---|---|---|
| Mr. Adams | Mr. Dodge | Mr. Moore | Mr. H. Smith |
| Mr. Adriance | Mr. Fairlie | Mr. E. Mott | Mr. Snell |
| Mr. Arcularius | Mr. Floyd | Mr. W. Mott | Mr. Storm |
| Mr. Blake | Mr. E. Gilbert | Mr. Nexen | Mr. Swartwout |
| Mr. Boyd | Mr. Hogeboom | Mr. Peck | Mr. Tabor |
| Mr. Burt | Mr. Honeywell | Mr. Philips | Mr. S. Ten Broeck |
| Mr. Burt | Mr. Hopkins | Mr. Robins | Mr. Thomas |
| Mr. Clark | Mr. Hunt | Mr. Root | Mr. Van Benthuysen |
| Mr. Clift | Mr. Johnson | Mr, Savage | Mr. Veeder |
| Mr. Coe | Mr. Landon | Mr. Schuneman | Mr. Waren |
| Mr. Comstock | Mr. Lefevre | Mr. Skidmore | Mr. Westcott |
| Mr. Corl | Mr. M'Intyre | Mr. A. Smith | Mr. Wolfe 49 |
| Mr. Crocker | | | |

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Mr. Barker | Mr. Gates | Mr. Lott | Mr. Schuyler |
| Mr. Bill | Mr. German | Mr. C. M'Kinstry | Mr. Shurtleff |
| Mr. Cummings | Mr. B. Gilbert | Mr. J. M'Kinstry | Mr. John M. Smith |
| Mr. Deitz | Mr. Gray | Mr. M'Neil | Mr. Philip Smith |
| Mr. Dewey | Mr. Heermance | Mr. Michean | Mr. Spencer |
| Mr. Doty | Mr. Henry | Mr. Pauling | Mr. Teed |
| Mr. Fort | Mr. King | Mr. Pearce | Mr. Van Rensselaer |
| Mr. French | Mr. C. Lansingh | Mr. Reynolds | Mr. Voorhis 35 |
| Mr. Furman | Mr. J. Lansingh | Mr. Schermerhorn | |

Mr. Baldwin further reported, that the committee had gone through the bill, filled up the blanks, and agreed to the same, which he was directed to report to the House, and he read the report in his place, and delivered the bill in at the table, where it was again read and agreed to by the House.

*Ordered*, That the bill be engrossed.

Mr. Van Rensselaer from the committee to whom was committed the bill entitled "An act to enable certain persons therein named to purchase and hold real estates within this state," reported, that the committee had gone through the bill, filled up the blank and agreed to the same, which he was directed to report to the House, and he read the report in his place, and delivered the bill in at the table, where it was again read, and agreed to by the house.

*Ordered*, That the bill be engrossed.

Mr. Hopkins from the committee appointed for the purpose, brought in according to order, a bill entitled "An act authorizing the raising money in the city of

Hudſon to defray certain expences therein," and a bill entitled "An act to authorize the raiſing a further ſum of money to compleat the court-houſe and gaol in the county of Schoharie," which were reſpectively read the firſt time, and by unanimous conſent were alſo read the ſecond time: Thereupon,

*Ordered*, That the bill entitled "An act authorizing the raiſing money in the city of Hudſon to defray certain expences therein," be committed to the members attending this Houſe from the county of Columbia, and that the bill entitled "An act to authorize the raiſing a further ſum of money to compleat the court-houſe and gaol in the county of Schoharie," be committed to Mr. Swart, Mr. Doty and Mr. Deitz.

Mr. Nexen from the committee to whom was referred the meſſage of his Excellency the Governor of the 5th day of February laſt paſt, and the papers accompanying the ſame, reported, that the ſubject matter of the ſaid meſſage has been provided for in the bill which paſſed this Houſe this day, entitled "An act for the payment of certain officers of government, and other contingent expenſes:" Thereupon,

*Ordered*, That the ſaid committee be diſcharged from the further conſideration of the ſaid meſſage, and the papers which accompanied the ſame.

Mr. Dewey from the committee of the whole Houſe on the bill entitled "An act relative to eſcheats and forfeitures," reported progreſs and obtained leave to ſit again.

Mr. M'Neil from the committee of the whole Houſe on the bill entitled "An act for the relief of creditors and bail of perſons ſentenced to the ſtate priſon," reported, that the committee had gone through the bill, and agreed to the ſame without amendment, which report he read in his place, and delivered the bill in at the table, where it was again read and agreed to by the Houſe, and the bill ordered a third reading.

Mr. Hogeboom from the committee to whom was committed the bill entitled "An act authorizing the raiſing money in the city of Hudſon to defray certain expenſes therein," reported, that the committee had gone through the bill and agreed to the ſame without amendment; which he was directed to report to the Houſe, and he read the report in his place and delivered the bill in at the table, where it was again read and agreed to by the Houſe.

*Ordered*, That the bill be engroſſed.

Mr. Swart from the committee to whom was committed the bill entitled "An act to authorize the raiſing a further ſum of money to complete the court houſe and gaol in the county of Schoharie," reported, that the committee had gone through the bill and agreed to the ſame without amendment; which report he read in his place, and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

*Ordered*, That the bill be engroſſed.

Then the Houſe adjourned until ten o'clock to-morrow morning.

FRIDAY, *ten o'clock, A. M. March 22d*, 1799.

The engroſſed bill entitled "An act authorizing the raiſing money in the city of Hudſon to defray certain expences therein," was read the third time.

*Reſolved*, That the bill do paſs.

The engroſſed bill entitled "An act to authorize the raiſing a further ſum of money to compleat the court houſe and gaol in the county of Schoharie," was read the third time.

*Reſolved*, That the bill do paſs.

The engroſſed bill entitled "An act to enable certain perſons therein named to purchaſe and hold real eſtates within this ſtate," was read the third time.

*Reſolved*, That the bill do paſs.

The engroſſed bill entitled "An act making proviſion to keep in repair the bridge over Schoharie kill at Fort Hunter, in the county of Montgomery," was read the third time.

*Reſolved*, That the bill do paſs.

The engroſſed bill entitled "An act providing for the election of electors of a Preſident and Vice-Preſident of the United States," was read the third time.

Mr. Speaker put the queſtion whether the ſaid bill ſhould paſs, and it was carried in the affirmative. The yeas and nays being called for by Mr. Reynolds, ſeconded by Mr. John Smith, were as follows, viz.

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Mr. Abeel | Mr. Corl | Mr. E. Mott | Mr. Snell |
| Mr. Adams | Mr. Crocker | Mr. W. Mott | Mr. Storm |
| Mr. Adriance | Mr. Dodge | Mr. Nexen | Mr. Swart |
| Mr. Arcularius | Mr. Floyd | Mr. Peck | Mr. Swartwout |
| Mr. Blake | Mr. E. Gilbert | Mr. Philips | Mr. Tabor |
| Mr. Boyd | Mr. Hogeboom | Mr. Prevoſt | Mr. S. Ten Broeck |
| Mr. Bruyn | Mr. Honeywell | Mr. Robins | Mr. Thomas |
| Mr. Burt | Mr. Hopkins | Mr. Savage | Mr. Veeder |
| Mr. Clark | Mr. Hunt | Mr. Skidmore | Mr. Waren |
| Mr. Clift | Mr. Johnſon | Mr. A. Smith | Mr. Weſtcott |
| Mr. Coe | Mr. Landon | Mr. H. Smith | Mr. Wolfe 47 |
| Mr. Comſtock | Mr. Moore | Mr. John Smith | |

*For the Negative.*

| | | | |
|---|---|---|---|
| Mr. Barker | Mr. Furman | Mr. Lefevre | Mr. Reynolds |
| Mr. Bill | Mr. Gates | Mr. C. M'Kinſtry | Mr. Schermerhorn |
| Mr. Cummings | Mr. B. Gilbert | Mr. J. M'Kinſtry | Mr. Schuyler |
| Mr. Deitz | Mr. Gray | Mr. M'Neil | Mr. Shurtleff |
| Mr. Dewey | Mr. Heermance | Mr. Micheau | Mr. John M. Smith |
| Mr. De Witt | Mr. Henry | Mr. Oſtrom | Mr. Philip Smith |
| Mr. Doty | Mr. Hoag | Mr. Paine | Mr. Teed |
| Mr. Fort | Mr. C. Lanſingh | Mr. Pauling | Mr. Voorhis 35 |
| Mr. French | Mr. J. Lanſingh | Mr. Pearce | |

Thereupon *Reſolved*, That the bill do paſs.

*Ordered*, That Mr. Dodge and Mr. Doty, deliver the four laſt mentioned bills to the Hon. the Senate, and requeſt their concurrence to the ſaid bills reſpectively.

The bill entitled "An act for the relief of creditors and bail of perſons ſentenced to the ſtate-priſon," was read the third time.

Mr. Root made a motion that the Houſe ſhould agree to certain amendments to the ſaid bill, which were read and agreed to by the Houſe.

*Ordered*, That that the amendments be engroſſed.

A petition of David Crone, ſergeant at arms of the court of chancery, was read and referred to Mr. Fairlie, Mr. J. Lanſingh and Mr. Philip Smith.

A motion was made that this Houſe ſhould reconſider their reſolution of adhering to their non-concurrence to the amendments of the Hon. the Senate, to the bill entitled "An act relative to the clerk's office in the ſeveral counties of this ſtate, and the examiners and clerks of the court of chancery, which were adhered to by the Hon. the Senate.

Mr. Speaker put the queſtion on the ſaid motion, and it was carried in the affirmative. The yeas and nays being called for by Mr. Root, ſeconded by Mr. Hogeboom, were as follows, viz.

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Mr. Arcularius | Mr. Doty | Mr. Kane | Mr. Savage |
| Mr. Barker | Mr. Fairlie | Mr. J. Lanſingh | Mr. Schermerhorn |
| Mr. Bill | Mr. Floyd | Mr. Lefevre | Mr. Schuyler |
| Mr. Burr | Mr. Fort | Mr. C. M'Kinſtry | Mr. Shurtleff |
| Mr. Campbell | Mr. French | Mr. J. M'Kinſtry | Mr. John M. Smith |
| Mr. Clift | Mr. Furman | Mr. M'Neil | Mr. Philip Smith |
| Mr. Coe | Mr. Gates | Mr. Oſtrom | Mr. Storm |
| Mr. Crocker | Mr. Gray | Mr. Paine | Mr. Swart |
| Mr. Cummings | Mr. Heermance | Mr. Pauling | Mr. Teed |
| Mr. Deitz | Mr. Henry | Mr. Philips | Mr. Van Renſelaer |
| Mr. De Witt | Mr. Hoag | Mr. Prevoſt | Mr. Wolfe 47 |
| Mr. Dodge | Mr. Hopkins | Mr. Reynolds | |

*For the Negative.*

| | | | |
|---|---|---|---|
| Mr. Abeel | Mr. Corl | Mr. M'Intyre | Mr. Snell |
| Mr. Adams | Mr. Dewey | Mr. Micheau | Mr. Tabor |
| Mr. Adriance | Mr. B. Gilbert | Mr. E. Mott | Mr. S. Ten Broeck |
| Mr. Baldwin | Mr. E. Gilbert | Mr. Pearce | Mr. Thomas |
| Mr. Blake | Mr. Hogeboom | Mr. Peck | Mr. Van Benthuyſen |
| Mr. Boyd | Mr. Honeywell | Mr. Root | Mr. Veeder |
| Mr. Bruyn | Mr. Hunt | Mr. Skidmore | Mr. Voorhis |
| Mr. Burt | Mr. Johnſon | Mr. A. Smith | Mr. Waren |
| Mr. Clark | Mr. Landon | Mr. H. Smith | Mr. Weſtcott 39 |
| Mr. Comſtock | Mr. C. Lanſingh | Mr. John Smith | |

A motion was then made that this Houſe ſhould recede from their reſolution of non-concurrence to the ſaid amendments, and it was carried in the affirmative.

Thereupon, *Ordered*, That the bill be amended accordingly.

*Ordered*, That Mr. Fort and Mr. French, deliver the bill to the Hon. the Senate, and inform them that this Houſe have concurred in their amendments to the ſaid bill, and have amended the ſame accordingly.

Mr. Root made a motion for a concurrent reſolution which was read, and is in the words following, viz.

Whereas there are a conſiderable number of copies of the laws of the United States now in the poſſeſſion of the Secretary of this State, which are yet to be diſtributed among the citizens thereof: Therefore,

*Reſolved*, (if the Hon. the Senate concur herein,) That ſaid Secretary deliver one ſet of ſaid laws to each member of this Legiſlature, who have not already been entitled to receive the ſame.

A meſſage from the Hon. the Senate, delivered by Mr. Gold and Mr. Gordon, with the bill therein mentioned was read, that the Senate have paſſed the bill entitled "An act for the aſſeſſment and collection of taxes," with the amendments therewith delivered.

*Ordered*, That the conſideration thereof be poſtponed.

A meſſage from the Hon. the Senate, alſo delivered by Mr. Gold and Mr. Gordon, with the bill entitled "An act for the payment of certain contingent expences of the former county of Herkimer," was read, that the Senate have concurred in the amendments of this Houſe to the ſaid bill, and have amended the ſame accordingly.

The amended bill having been examined,

*Ordered*, That Mr. Dodge and Mr. Doty, return the bill to the Hon. the Senate.

A meſſage from the Hon. the Senate, alſo delivered by Mr. Gold and Mr. Gordon, with the bill therein mentioned was read, that the Senate have paſſed the bill entitled "An act for the relief of the inhabitants of the town of Eaſton," without amendment.

*Ordered*, That Mr. Fort and Mr. French, deliver the bill to the Hon. the Council of Reviſion.

A copy of a reſolution of the Hon. the Senate, delivered by Mr. Gordon and Mr. Graham was read, that the Senate do concur with this Houſe in their reſolution as entered on the journal of this Houſe of the 20th inſt. relative to the purchaſers of land in the Oneida, Onondaga and Cayuga reſervations.

The Hon. the Senate returned by Mr. Gold and Mr. Gordon, the bill entitled "An act for dividing the town of Stamford, in the county of Delaware."

*Ordered*, That Mr. Fort and Mr. French, deliver the bill to the Hon. the Council of Reviſion.

Mr. Doty from the committee to whom was referred the petition of Walter Briggs, reported in favor of the petitioner, and moved for leave to bring in a bill granting him relief.

Mr. Speaker put the queſtion whether the ſaid committee ſhould have leave to bring in the ſaid bill, and it paſſed in the negative.

The Surveyor-General on the petition of John Engliſh and Mary Harding, referred to him by the Hon. the Aſſembly, reſpectfully reports, that the commiſſioners of the land-office are empowered by law to make compenſation for lands in the ſituation of thoſe which the petitioners deſcribe.

All which is reſpectfully ſubmitted.

SIMEON DE WITT, Surveyor-General.

*20th March*, 1799.

Thereupon *Ordered*, That the petitioner have leave to withdraw his petition.

A copy of a reſolution of the Hon. the Senate, delivered by Mr. Gordon and Mr. Graham was read, and is in the words following, viz.

*Reſolved*, That a meſſage be ſent to the Hon. Houſe of Aſſembly, to deſire them to acquaint this Senate what progreſs they have made in the bill entitled "An act to authorize the raiſing a further ſum of money to complete the court houſe and gaol in the county of Schoharie."

A copy of a reſolution of the Hon. the Senate, alſo delivered by Mr. Gordon and Mr. Graham was read, and is in the words following, viz.

*Reſolved*, That a meſſage be ſent to the Hon. Houſe of Aſſembly, to deſire them to acquaint this Senate what progreſs they have made in the bill entitled "An act to authorize the raiſing money in the city of Hudſon to defray certain expences therein."

*Reſolved*, That a meſſage be ſent to the Hon. the Senate, and acquaint them that the bill entitled "An act to authorize the raiſing money in the city of Hudſon to defray certain expences therein," has been rejected by this Houſe.

*Ordered*, That Mr. Fairlie and Mr. Floyd, deliver a copy of the preceding reſolution to the Hon. the Senate.

*Reſolved*, That a meſſage be ſent to the Hon. the Senate, and acquaint them that the bill entitled "An act to authorize the raiſing a further ſum of money to complete the court houſe and gaol in the county of Schoharie," has been rejected by this Houſe.

*Ordered*, That Mr. Fairlie and Mr. Floyd, deliver a copy of the preceding reſolution to the Hon. the Senate.

The Houſe proceeded to the conſideration of the amendments of the Hon. the Senate, to the bill entitled "An act for the aſſeſſment and collection of taxes." The bill and amendments were read; one of the ſaid amendments was to expunge from the 3d clauſe the following, viz. "*not leſs than one hundred and not more than one thouſand four hundred dollars, at the diſcretion of the aſſeſſors,*" and to ſubſtitute the words "*three hundred dollars.*"

A motion was made that the Houſe ſhould concur with the Hon. the Senate in their amendment, and it was carried in the affirmative. That the yeas and nays being called for by Mr. Hogeboom, ſeconded by Mr. S. Ten Broeck, were as follows, viz.

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Mr. Arcularius | Mr. De Witt | Mr. C. Lanſingh | Mr. Reynolds |
| Mr. Baldwin | Mr. Doty | Mr. J. Lanſingh | Mr. Schuyler |
| Mr. Barker | Mr. Fairlie | Mr. Lefevre | Mr. Shurtleff |
| Mr. Bill | Mr. Fort | Mr. M'Intyre | Mr. Skidmore |
| Mr. Boyd | Mr. French | Mr. C. M'Kinſtry | Mr. Philip Smith |
| Mr. Bruyn | Mr. Gates | Mr. J. M'Kinſtry | Mr. Storm |
| Mr. Burr | Mr. B. Gilbert | Mr. M'Neil | Mr. Teed |
| Mr. Burt | Mr. Gray | Mr. Michean | Mr. Thomas |
| Mr. Campbell | Mr. Heermance | Mr. Moore | Mr. Van Renſſelaer |
| Mr. Clift | Mr. Henry | Mr. Oſtrom | Mr. Voorhis |
| Mr. Coe | Mr. Hoag | Mr. Pearce | Mr. Waren |
| Mr. Crocker | Mr. Hopkins | Mr. Peck | Mr. Weſtcott |
| Mr. Cummings | Mr. Hunt | Mr. Philips | Mr. Wolfe — 55 |
| Mr. Dewey | Mr. Johnſon | Mr. Prevoſt | |

*For the Negative.*

| | | | |
|---|---|---|---|
| Mr. Abeel | Mr. Dodge | Mr. Paine | Mr. John Smith |
| Mr. Adams | Mr. Floyd | Mr. Pauling | Mr. John M. Smith |
| Mr. Adriance | Mr. E. Gilbert | Mr. Robins | Mr. Snell |
| Mr. Blake | Mr. Hogeboom | Mr. Root | Mr. Swart |
| Mr. Clark | Mr. Honeywell | Mr. Savage | Mr. Tabor |
| Mr. Comſtock | Mr. Landon | Mr. Schermerhorn | Mr. S. Ten Broeck |
| Mr. Corl | Mr. E. Mott | Mr. A. Smith | Mr. Van Benthuyſen |
| Mr. Deitz | Mr. W. Mott | Mr. H. Smith | Mr. Veeder — 31 |

Another of the ſaid amendments was to expunge the following from the third ſection, viz.

*All monies ſecured by mortgage, at the nominal value thereof; each clerk of the ſupreme court or of the court of common pleas, and all ſalary officers, at the diſcretion of the aſſeſſors; each trader or ſtore keeper whatſoever (the loweſt claſs) at one hundred dollars; and all others in due proportion, at the diſcretion of the aſſeſſors; each attorney or counſellor at law (the leaſt practitioner) at three hundred dollars, and larger practitioners higher in proportion; each phyſician or ſurgeon (the leaſt practitioner) at one hundred dollars, and others in proportion, at the diſcretion of the aſſeſſors; that all ſea veſſels and all river and coaſting veſſels of ten tons burthen and upwards ſhall be ſet in the liſt at twelve dollars for every*

*ton of their burthen; that each and every person who followeth any mechanical art or mys-*
*ry, such as blacksmiths, goldsmiths, silversmiths, tanners, and every other handicraft, shall*
*set down at the discretion of the assessors; and all six per cent stock shall be valued at th*
*amount of the principal thereof; all three per cent stock at sixty-six cents and six mills fo*
*every dollar; and all bank, insurance, and other stock, producing more than six per cen*
*at one hundred dollars for every six dollars of such product;*

And to substitute the following, viz.

*All river sloops and vessels above thirty tons burthen and not exceeding sixty tons, at fi*
*hundred dollars each; and all river sloops and vessels above sixty tons, at seven hundr*
*and fifty dollars each. And the said assessors shall also ascertain according to the best evi*
*dence they can obtain, and set down in such list the value of the residue of the personal e*
*tate of every person residing in such division or assessment district, exclusive of their farmin*
*utensils, arms and accoutrements for serving in the militia, tools and implements of their re*
*pective trades and professions, ships and vessels, and their cargo employed in trade and co*
*merce out of this state, articles the produce of any of the United States, and purchased for ex*
*portation or sale; and in case any person shall make affidavit before such assessors or eithe*
*of them, who are hereby authorized to administer such oath, that the value of such residue o*
*his or her personal estate does not exceed a certain sum, specifying the same, then and in ever*
*such case, the assessors shall value such residue at the sum specified in such affidavit, and n*
*more.*

The question having been put thereon, it was carried in the affirmative. Th
yeas and nays being called for by Mr. Comstock, seconded by Mr. Root, were a
follows, viz.

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Mr. Abeel | Mr. Dodge | Mr. J. Lansingh | Mr. Savage |
| Mr. Adams | Mr. Doty | Mr. Lefevre | Mr. Schermerhorn |
| Mr. Adriance | Mr. Fairlie | Mr. M'Intyre | Mr. Schuyler |
| Mr. Arcularius | Mr. Floyd | Mr. C. M'Kinstry | Mr. Shurtleff |
| Mr. Baldwin | Mr. Fort | Mr. J. M'Kinstry | Mr. Skidmore |
| Mr. Barker | Mr. French | Mr. M'Neil | Mr. A. Smith |
| Mr. Bill | Mr. Furman | Mr. Michean | Mr. H. Smith |
| Mr. Blake | Mr. Gates | Mr. Moore | Mr. John M. Smith |
| Mr. Boyd | Mr. B. Gilbert | Mr. E. Mott | Mr. Philip Smith |
| Mr. Bruyn | Mr. E. Gilbert | Mr. W. Mott | Mr. Storm |
| Mr. Burr | Mr. Gray | Mr. Nexen | Mr. Swartwout |
| Mr. Burt | Mr. Heermance | Mr. Ostrom | Mr. Tabor |
| Mr. Campbell | Mr. Henry | Mr. Paine | Mr. Teed |
| Mr. Clift | Mr. Hoag | Mr. Pauling | Mr. Thomas |
| Mr. Coe | Mr. Hogeboom | Mr. Pearce | Mr. Van Benthuysen |
| Mr. Corl | Mr. Honeywell | Mr. Peck | Mr. Van Rensselaer |
| Mr. Cummings | Mr. Hopkins | Mr. Philips | Mr. Voorhis |
| Mr. Deitz | Mr. Hunt | Mr. Prevost | Mr. Waren |
| Mr. Dewey | Mr. Johnson | Mr. Reynolds | Mr. Westcott |
| Mr. De Witt | Mr. C. Lansingh | Mr. Robins | Mr. Wolfe |

*For the Negative.*

| | | | |
|---|---|---|---|
| Mr. Clark | Mr. Landon | Mr. Snell | Mr. S. Ten Broeck |
| Mr. Comstock | Mr. Root | Mr. Swart | Mr. Veeder |
| Mr. Crocker | Mr. John Smith | | |

Another of the said amendments was to expunge the proviso to the 10th section, which is in the words following, viz.

*Provided always, That no person being one of the people called quakers, shall be liable to pay any penalty for refusing to perform the duties of an assessor in times of war.*

And the question having been put thereon, it passed in the negative.

Another of the said amendments was to expunge from the 12th section the following, viz.

*And be it further enacted, That the several boards of supervisors in the respective counties of this state shall yearly, at their annual meeting, elect by ballot three of their number, who shall be, and they are hereby declared to be commissioners of taxes for such county, and the said commissioners, before they shall act as commissioners of taxes, shall respectively take an oath that they will faithfully execute and perform the duties required of them by this act, without favor or partiality.*

And to substitute the following, viz.

*And be it further enacted, That it ſhall and may be lawful for the perſon adminiſtering the government of this ſtate for the time being, by and with the advice and conſent of the council of appointment, to nominate and appoint three proper perſons in each county in this ſtate, to be denominated commiſſioners of taxes in ſuch county, who ſhall hold their ſaid offices during the pleaſure of the ſaid council. And it ſhall be lawful for the perſon adminiſtering the government of this ſtate for the time being, in the receſs of the council, to fill all vacancies in the ſaid office by appointments under his hand and the privy ſeal of this ſtate, and that the perſons ſo appointed ſhall alſo hold their ſaid offices during the pleaſure of the council of appointment; and every perſon appointed to the ſaid office ſhall, before he acts therein, beſides the oath of allegiance and the oath required by the conſtitution of the United States, take an oath that he will faithfully execute and perform the duties required of him by this act without favor or partiality.*

Mr. Speaker put the queſtion whether the Houſe did concur with the Hon. the Senate in their ſaid amendment, and it was carried in the affirmative. The yeas and nays being called for by Mr. John Smith, ſeconded by Mr. Adriance, were as follows, viz.

*For the Affirmative.*

| | | | | |
|---|---|---|---|---|
| Mr. Abeel | Mr. Dodge | Mr. C. Lanſingh | Mr. Pearce | |
| Mr. Arcularius | Mr. Doty | Mr. J. Lanſingh | Mr. Philips | |
| Mr. Barker | Mr. Fairlie | Mr. Lefevre | Mr. Reynolds | |
| Mr. Bill | Mr. Fort | Mr. M'Intyre | Mr. Schermerhorn | |
| Mr. Boyd | Mr. French | Mr. C. M'Kinſtry | Mr. Schuyler | |
| Mr. Burr | Mr. Gates | Mr. J. M'Kinſtry | Mr. Shurtleff | |
| Mr. Campbell | Mr. B. Gilbert | Mr. M'Neil | Mr. Skidmore | |
| Mr. Clift | Mr. Gray | Mr. Micheau | Mr. John M. Smith | |
| Mr. Coe | Mr. Heermance | Mr. Moore | Mr. Philip Smith | |
| Mr. Cummings | Mr. Henry | Mr. E. Mott | Mr. Teed | |
| Mr. Deitz | Mr. Hoag | Mr. W. Mott | Mr. Thomas | |
| Mr. Dewey | Mr. Hopkins | Mr. Paine | Mr. Van Renſſelaer | |
| Mr. De Witt | Mr. Hunt | Mr. Pauling | Mr. Voorhis | 52. |

*For the Negative.*

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| Mr. Adams | Mr. Crocker | Mr. Root | Mr. Storm | |
| Mr. Adriance | Mr. E. Gilbert | Mr. Savage | Mr. Swart | |
| Mr. Baldwin | Mr. Honeywell | Mr. A. Smith | Mr. Tabor | |
| Mr. Blake | Mr. Johnſon | Mr. H. Smith | Mr. Van Benthuyſen | |
| Mr. Bruyn | Mr. Landon | Mr. John Smith | Mr. Veeder | |
| Mr. Burt | Mr. Peck | Mr. Snell | Mr. Weſtcott | 25. |
| Mr. Comſtock | | | | |

The other of the ſaid amendments were alſo ſeverally read and ſome of them were concurred in, and others not concurred in by this Houſe: Thereupon,

*Reſolved*, That this Houſe do concur with the Hon. the Senate, in ſuch of their amendments as are for that purpoſe deſignated on the margin of the ſaid amendments, and do not concur in the other amendments to the ſaid bill.

*Ordered*, That Mr. French and Mr. Furman, deliver the bill, amendments and a copy of the preceding reſolution to the Hon. the Senate.

Then the Houſe adjourned until ten o'clock to-morrow morning,

SATURDAY, *ten o'clock, A. M. March 23d*, 1799.

Mr. Nexen from the committee to whom was committed ſo much of the meſſage of his Excellency the Governor of the 21ſt ult. as relates to making proviſion for the punctual payment of the public debts, reported, that conſidering the many diſtreſſes which are at this time experienced in the ſtate, ariſing from various and well known cauſes, they have their doubts whether it would be wiſe, prudent or politic, at this juncture, to raiſe by tax immediately, the ſums referred to in ſaid meſſage. And conſidering that this ſtate is in poſſeſſion of funds and reſources more than ſufficient to raiſe the ſums required to diſcharge the debts heretofore incurred, the committee therefore ſubmit it as their opinion, that as the three per cent ſtock may now be ſold for a principal ſum, correſponding with its annual product, and that as the great loans made and contemplated, and the high rate of intereſt offered by the United States, afford reaſon to expect that a farther reduction will take place in the prices of all kinds of ſtock, the committee therefore ſubmit to the conſideration of the Houſe the propriety of ſelling ſo much of the three per cent ſtock as may ſuffice for the objects herein referred to, and that for this purpoſe the Comptroller be authoriſed to ſell ſo much of the ſaid ſtock, and for ſuch price and ſuch credit as he may judge will be moſt for the intereſt of the ſtate; which report the committee beg leave to ſubmit to the wiſdom of the Houſe.

*Ordered*, That the conſideration thereof be poſtponed until Monday next.

Mr. Fairlie from the committee to whom was referred the repreſentation of the Surveyor-General, reported, that in their opinion the Comptroller ought to be authorized to draw his warrant on the Treaſurer in favor of the Surveyor-General for the ſum of eighty dollars, to enable him to compleat the execution of the acts paſſed for the relif of Nathaniel Mallory and others; alſo for the ſum of to enable the Surveyor-General to have the lines run and marked between the counties of Herkimer and Montgomery, between Saratoga and Montgomery, and ſuch of the weſtern bounds of the county of Schoharie as ſhall appear to him not to be run agreeably to the act deſcribing the ſame, which ſums he ſhall account for with the Comptroller; that ninety-ſeven lots in Galen and Sterling appear, by a certificate of the Secretary, to remain unpatented, on each of which, by former laws, one dollar is directed to be received (on the iſſuing of the patents reſpectively) to the Secretary, and by him to be paid to the Surveyor-General as part of the money allowed him for ſurveying the lots of the military lands; and as the claims to military lands are ſuppoſed to be nearly ſatisfied, and of courſe the money intended in this manner to be raiſed for that purpoſe will probably not be thus raiſed, but the lots already ſurveyed be otherwiſe diſpoſed of, the committee are of opinion that the Surveyor-General ought to have ninety-ſeven dollars paid to him, being equal to the number of lots unpatented, and the monies that hereafter may be received by the Secretary in the manner aforeſaid, be paid by him to the Treaſurer inſtead of the Surveyor-General.

The committee, ſenſible of the importance of having the map of the ſtate publiſhed as ſpeedily as may be, and conſidering the great difficulty of obtaining private loans of money, and that it is the duty of government to encourage and aſſiſt works calculated for public benefit, are further of opinion, that the Comptroller ſhould be authorized to loan to the Surveyor-General for three years, on ſuch ſecurity as he ſhall deem ſufficient, three thouſand dollars, without intereſt, out of any of the unappropriated monies in the Treaſury.

It is alſo the opinion of the committee, that the Surveyor-General be authorized to require from the ſuperviſors of ſuch towns as have not their bounds ſurveyed, that the ſame be done, and the maps and deſcriptions thereof be delivered into the Surveyor-General's office, and that it be made the duty of ſuch ſuperviſors to comply with ſuch requeſt under certain penalties for neglecting to do the ſame; that the ſupervisors of the county of Schoharie be required to furniſh the Surveyor-General, on or before the day of next, with a map and deſcriptions of ſuch of the bounds of that county, and of the towns within it, as have been actually ſurveyed.

*Reſolved*, That the Houſe do agree with the committee in their ſaid report.

*Ordered*, That the ſame committee do prepare and bring in a bill for the purpoſes mentioned in their report.

Mr. Fairlie, purſuant to order, brought in the ſaid bill entitled "An act concerning the Surveyor-General," which was read the firſt time, and by unanimous conſent, was alſo read a ſecond time, and committed to Mr. Fairlie, Mr. Henry, Mr. Baldwin, Mr. Fort and Mr. Levefre.

Mr. Heermance from the committee of the whole Houſe on the bill entitled "An act to amend the laws for the partition of lands," reported, that the committee had gone through the bill, added a clauſe, and agreed to the ſame, which report he read in his place, and delivered the bill and clauſe in at the table, where it was again read and agreed to by the Houſe.

*Ordered*, That the bill be engroſſed.

The Houſe proceeded to the conſideration of the report of the committee on the petition of Myndert A. Wemple and others. The ſaid report was read: Thereupon,

*Reſolved*, That the ſaid petition, together with the report of the committee thereon, be referred to the Comptroller, who is hereby directed to enquire what diſpoſition has been made of the avails of the forfeited eſtate of Andries Wemple by the commiſſioners of forfeitures, and to report thereon to the Legiſlature at their next ſeſſion.

The Attorney General to whom was referred the petition of Robert Johnſon, reported, that the petition ſtates, that the commiſſioners of forfeitures for the middle diſtrict ſold and conveyed to William Smith a farm, ſituate in the county of Dutcheſs, which was afterwards purchaſed and is now held by the petitioner; that the

onveyance executed by the commiſſioners of forfeitures hath been accidentally con-ſumed by fire, by reaſon whereof the petitioner hath been, and ſtill is ſubjected to reat inconvenience, and he prays that a law may be paſſed, ſupplying the loſs of he ſaid conveyance.

The allegations contained in the ſaid petition are verified by the oath of the peti-ioner, and it appears, by a certificate of the deputy-clerk of the county of Dutcheſs, herewith ſubmitted, that a conveyance was executed by the commiſſioners of for-eitures for the middle diſtrict, to William Smith, as is repreſented in the ſaid pe-ition.

The Attorney-General is therefore of opinion, that the caſe of the petitioner mer-its legiſlative interpoſition, and that a law ought to be paſſed, declaring that the ab-ract of ſuch conveyance as returned and filed in the clerk's office of the county of Dutcheſs, ſhall be received as legal evidence of the exiſtence of the deeds, from the commiſſioners of forfeitures to William Smith, and ſhall be adjudged from the ate thereof, to have veſted in the ſaid William Smith, all the right and title of the people of this ſtate, of, in and to the premiſes deſcribed in the ſaid abſtract.

All which is reſpectfully ſubmitted.

JOS. OGDEN HOFFMAN, Attorney-General.

*Albany, March* 23, 1799.

*Reſolved*, That this Houſe do agree with the Attorney-General in his ſaid report.

*Ordered*, That Mr. Micheau, Mr. M'Intyre and Mr. Weſtcott be a committee to repare and bring in a bill for the purpoſes mentioned in the ſaid report.

A meſſage from the Hon. the Senate, delivered by Mr. Graham and Mr. Haight, ith the bill therein mentioned, was read, that the Senate have paſſed the bill entitled "An act concerning the court of probates," to which they requeſt the concurrence f this Houſe. The ſaid bill was read the firſt time, and by unanimous conſent as alſo read the ſecond time, and committed to a committee of the whole Houſe.

A meſſage from the Hon. the Senate, alſo delivered by Mr. Graham and Mr. Haight, with the bill therein mentioned, was read, that the Senate have paſſed the ill entitled "An act to amend the act entitled "An act to regulate elections," with he amendments therewith delivered. The bill and amendments were read, and the mendments being again read, were ſeverally concurred in by the Houſe, and the bill rdered to be amended accordingly.

*Ordered*, That Mr. Furman and Mr. Gates deliver the bill to the Hon. the Sen-te, and inform them that this Houſe have concurred in their amendments to the aid bill, and that the ſame is amended accordingly.

A meſſage from the Hon. the Senate, alſo delivered by Mr. Graham and Mr. Haight, with the bill therein mentioned was read, that the Senate have paſſed the ill entitled "An act to divide the town of Richfield in the county of Otſego, into hree towns, and to alter the name of the town of Suffrage in ſaid county," with the mendments therewith delivered.

The bill and amendments were read; one of the amendments is to expunge from he title the words "*and to alter the name of the town of Suffrage in ſaid county*," and he amendments having been read a ſecond time, were ſeverally concurred in by the Houſe, and the bill ordered to be amended accordingly.

*Ordered*, That Mr. Furman and Mr. Gates deliver the bill to the Hon. the enate, and inform them that this Houſe have concurred in their amendments to he ſaid bill, and that the ſame is amended accordingly.

A meſſage from the Hon. the Senate, delivered by Mr. Graham and Mr. Haight, ith the bill therein mentioned was read, that the Senate have paſſed the bill enti-ed "An act for the relief of James Caldwell," with the amendments therewith de-vered.

The bill and amendments were read, and the amendments having been read a cond time, were ſeverally concurred in by this Houſe, and the bill ordered to be mended accordingly.

*Ordered*, That Mr. Furman and Mr. Gates deliver the bill to the Hon. the enate, and inform them that this Houſe have concurred in their amendments to he ſaid bill, and that the ſame is amended accordingly.

A meſſage from the Hon. the Senate, alſo delivered by Mr. Graham and Mr. aight, with the bill therein mentioned was read, that the Senate have paſſed the

bill entitled "An act to regulate the ſalting, repacking and inſpection of beef and pork for exportation," to which they requeſt the concurrence of this Houſe.

The ſaid bill was read the firſt time, and by unanimous conſent was alſo read the ſecond time, and committed to a committee of the whole Houſe.

A copy of a reſolution of the Hon. the Senate, alſo delivered by Mr. Graham and Mr. Haight was read, and is in the words following, viz.

*Reſolved*, That the rejection by the Hon. Houſe of Aſſembly, of the bill entitled "An act to authorize the raiſing a further ſum of money to complete the court houſe and gaol in the county of Schoharie," and the bill entitled "An act authorizing the raiſing money in the city of Hudſon to defray certain expences therein," ſent by this Senate to that Hon. Houſe for concurrence, and their ſending to this Senate other bills for concurrence in the ſame words, do in the opinion of this Senate amount to a claim of that Houſe of an excluſive right to originate all money matters in the Legiſlature.

*Reſolved unanimouſly*, That in the opinion of this Senate, they are by the conſtitution of this State, veſted with and do expreſsly claim an equal right with the Hon. the Houſe of Aſſembly to originate any bill in the Legiſlature of this ſtate, except a bill for the appointment of a Treaſurer.

*Reſolved*, That the conſtitution of this ſtate does not warrant ſuch claim of the Hon. Houſe of Aſſembly; and that the Senate being the repreſentatives of the people as well as the Hon. Aſſembly, cannot admit ſuch claim without betraying the rights and liberties of their conſtituents, which they are bound to preſerve and defend.

A meſſage from the Hon. the Senate, delivered by Mr. Hatfield and Mr. Hitchcock, with the bill therein mentioned was read, that the Senate do adhere to their amendments to the bill entitled "An act for the aſſeſſment and collection of taxes," which were not concurred in by this Houſe.

The bill and the amendments adhered to by the Hon. the Senate were read and conſidered, and the amendments having been read and reconſidered, were ſeverally concurred in by the Houſe, and the bill ordered to be amended accordingly.

*Ordered*, That Mr. and Mr. deliver the bill to the Hon. the Senate, and inform them that this Houſe have concurred in their amendments to the ſaid bill, and have amended the ſame accordingly.

The Hon. the Senate returned by Mr. Hatfield and Mr. Hitchcock, the bill entitled "An act relative to the clerk's office in the ſeveral counties in this ſtate, and the examiners and clerks of the court of chancery."

*Ordered*, That Mr. German and Mr. B. Gilbert, deliver the bill to the Hon. the Council of Reviſion.

Mr. Bill from the committee of the whole Houſe, on the bill entitled "An act to amend the act entitled "An act to lay a duty on ſtrong liquors, and for the regulating inns and taverns," reported, that the committee had gone through the bill, made amendments, added clauſes and agreed to the ſame; which report he read in his place, and delivered the ſame in at the table, where it was again read, and agreed to by the Houſe.

*Ordered*, That the bill be engroſſed.

Then the Houſe adjourned until four o'clock this afternoon.

*Four o'clock P. M.*

The Houſe met purſuant to adjournment.

*Reſolved*, (if the Hon. the Senate concur herein,) That the Comptroller be, and he is hereby authorized and directed, to borrow on the credit of the ſtate, of the bank of New-York, ſuch a ſum of money as will be neceſſary for the payment of the members of the Legiſlature, and their attendant officers, during the preſent ſeſſion; and that the Legiſlature will make proviſion for the payment to the Treaſurer of the expence which may ariſe in and about the bringing the ſaid money from the city of New-York to the city of Albany.

*Ordered*, That Mr. B. Gilbert and Mr. Gray, deliver a copy of the preceding reſolution to the Hon. the Senate.

*Reſolved*, (if the Hon. the Senate concur herein,) That the printer to the ſtate be directed to publiſh for the Agricultural Society of this ſtate, five hundred copies

ſuch communications made to the ſociety, as they may deem moſt likely to promote the intereſt of agriculture; and that the ſaid printer deliver one of the ſaid copies to each perſon who ſhall be entitled to receive the laws and journals of the Senate and Aſſembly; and that the Legiſlature will provide for the expence of printing the ſame.

*Ordered*, That Mr. Gray and Mr. Heermance, deliver a copy of the preceding reſolution to the Hon. the Senate.

Mr. Reynolds from the committee of the whole Houſe, on the bill entitled "An act to repeal the act entitled "An act to ſupport the juriſdiction of this ſtate," reported, that after the ſaid bill had been read in the committee, Mr. Fairlie made a motion that the ſame be rejected; that debates were had, and the queſtion having been put thereon, it was carried in the affirmative. That the yeas and nays were called for by Mr. Boyd, ſeconded by Mr. Arcularius, and were as follows, viz.

*For the Affirmative.*

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|---|---|---|---|
| Mr. Abeel | Mr. Dewey | Mr. Landon | Mr. Shurtleff |
| Mr. Adams | Mr. De Witt | Mr. J. Lanſingh | Mr. Skidmore |
| Mr. Adriance | Mr. Dodge | Mr. Lefevre | Mr. A. Smith |
| Mr. Arcularius | Mr. Fairlie | Mr. C. M'Kinſtry | Mr. H. Smith |
| Mr. Barker | Mr. Floyd | Mr. J. M'Kinſtry | Mr. John Smith |
| Mr. Bill | Mr. Fort | Mr. M'Neil | Mr. John M. Smith |
| Mr. Blake | Mr. French | Mr. Micheau | Mr. Speaker |
| Mr. Boyd | Mr. Furman | Mr. E. Mott | Mr. Storm |
| Mr. Bruyn | Mr. Gates | Mr. W. Mott | Mr. Swart |
| Mr. Burr | Mr. German | Mr. Nexen | Mr. Tabor |
| Mr. Burt | Mr. B. Gilbert | Mr. Oſtrom | Mr. Teed |
| Mr. Campbell | Mr. Heermance | Mr. Peck | Mr. S. Ten Broeck |
| Mr. Clark | Mr. Henry | Mr. Philips | Mr. Van Benthuyſen |
| Mr. Clift | Mr. Hoag | Mr. Prevoſt | Mr. Veeder |
| Mr. Coe | Mr. Hogeboom | Mr. Savage | Mr. Voorhis |
| Mr. Comſtock | Mr. Honeywell | Mr. Schermerhorn | Mr. Waren |
| Mr. Crocker | Mr. Hopkins | Mr. Schuneman | Mr. Weſtcott |
| Mr. Cummings | Mr. Hunt | Mr. Schuyler | Mr. Wolfe — 74 |
| Mr. Deitz | Mr. Johnſon | | |

*For the Negative.*

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| Mr. Baldwin | Mr. Moore | Mr. Root | Mr. Snell | — 5 |
| Mr. M'Intyre | | | | |

Which report he read in his place, and delivered the ſame in at the table, where it was again read and agreed to by the Houſe: Thereupon,

*Reſolved*, That the ſaid bill be and the ſame is hereby rejected.

Mr. Van Renſſelaer from the committee to whom were referred the ſeveral petitions of Cornelius Ryerſen and Daniel Hill, reported, that in purſuance of an act paſſed the 6th March, 1790, a convention was made between the commiſſioners in the ſaid act named on the part of this ſtate and the commiſſioners on the behalf of that territory now called Vermont, and the ſtate of Vermont have paid into the treaſury of this ſtate the ſum of thirty thouſand dollars by the ſaid convention ſtipulated, to extinguiſh the titles to lands within the ſaid territory, derived under the late colony of New-York; that by an act paſſed the 6th April, 1795, certain perſons were appointed commiſſioners to hear and determine claims for lands whereof the titles were ſo extinguiſhed, and to aſcertain the proportions of the money ſo paid by the ſtate of Vermont, which might be due to the claimants reſpectively; that the objects of the act laſt mentioned are not yet wholly completed, but that claims to more than 400,000 acres have been already allowed. In the opinion of the committee any partial proviſion for particular claimants would be improper and unjuſt, and that the conſideration of any further general compenſation ought to be delayed until the extent of thoſe claims ſhall be aſcertained and declared.

*Reſolved*, That this Houſe do agree with the committee in their ſaid report.

A meſſage from the Hon. the Council of Reviſion, delivered by the Hon. the Chancellor was read, that it does not appear improper to the council, that the bill entitled "An act for the relief of the inhabitants of the town of Eaſton," the bill entitled "An act to incorporate a part of Stephentown for the purpoſes therein mentioned," the bill entitled "An act authorizing John Knickerbacker, jun. and others,

to build a toll bridge at Schagtikoke point, in the county of Renſſelaer," the bill entitled "An act for dividing the town of Stamford, in the county of Delaware and for other purpoſes," the bill entitled "An act relative to the clerk's office in the ſeveral counties of this ſtate, and the examiners and clerks of the court of chancery," ſhould reſpectively become laws of this ſtate.

Mr. Prevoſt from the committee of the whole Houſe, on the bill entitled "An act for the relief of William Lighthall," reported, that the committee had gone thro' the bill, made amendments, added clauſes and altered the title, that the altered title is "An act for the relief of William Lighthall, Thomas Wilſon and Chriſtian Hartwick;" which report he read in his place, and delivered the bill with the added clauſes in at the table, where they were again read, and agreed to by the Houſe.

*Ordered*, That the bill be engroſſed.

A copy of a reſolution of the Hon. the Senate, delivered by Mr. Jones and Mr. L'Hommedieu was read, that the Senate do not concur with this Houſe in their reſolution as entered on this days journal, relative to authorizing the Comptroller to borrow money from the bank of New-York.

A copy of a reſolution of the Hon. the Senate, alſo delivered by Mr. Jones and Mr. L'Hommedieu was read, and is in the words following, viz.

*Reſolved*, (if the Hon. the Senate concur herein,) That the Comptroller be, and he is hereby authorized and directed, to borrow fifty thouſand dollars on the credit of the ſtate, of the bank of New-York, in, the bills of credit emitted the 8th day of February, 1788, which ſum of money ſo to be borrowed ſhall not be paid out of the treaſury, but by virtue of ſome legiſlative proviſion hereafter to be made; and that the Legiſlature will make proviſion for the repayment of the ſaid ſum ſo to be borrowed, and for the payment to the Treaſurer of the expence which may ariſe in and about the bringing the ſaid money from the city of New-York.

*Reſolved*, That this Houſe do concur with the Hon. the Senate in their ſaid reſolution.

*Ordered*, That Mr. Hogeboom and Mr. Henry deliver a copy of the preceding reſolution of concurrence to the Hon. the Senate.

Mr. S. Ten Broeck from the committee of the whole Houſe on the bill entitled "An act for the relief of George Merchant," reported, that the committee had gone through the bill, made amendments, added clauſes, filled up the blanks and altered the title; that the altered title is "An act for the relief of George Merchant, John I. Klock, John Joyce and David Cook," which he was directed to report to the Houſe, and he read the report in his place, and delivered the bill, with the added clauſes, in at the table, where they were again read and agreed to by the Houſe.

*Ordered*, That the bill be engroſſed.

A copy of a reſolution of the Hon. the Senate, delivered by Mr. L'Hommedieu and Mr. Matthews, was read, and is in the words following, viz.

*Reſolved*, (if the Hon. the Senate concur herein) That the Legiſlature will adjourn on Monday the firſt day of April next, inſtead of the 28th inſt.

*Ordered*, That the conſideration thereof be poſtponed until Monday next.

Mr. Burr made a motion for a reſolution in the words following, viz.

*Reſolved*, (if the Hon. the Senate concur herein) That the reſolution of the inſtant, for adjourning on the 28th inſt. be, and the ſame is hereby reſcinded.

Mr. Speaker put the queſtion on the ſaid reſolution, and it paſſed in the negative. The yeas and nays being called for by Mr. Reynolds, ſeconded by Mr. John M. Smith, were as follows, viz.

*For the Negative.*

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|---|---|---|---|
| Mr. Abeel | Mr. Fairlie | Mr. J. Lanſingh | Mr. A. Smith |
| Mr. Adams | Mr. Fort | Mr. Lefevre | Mr. John Smith |
| Mr. Adriance | Mr. Furman | Mr. Micheau | Mr. John M. Smith |
| Mr. Arcularius | Mr. Gates | Mr. E. Mott | Mr. Snell |
| Mr. Bruyn | Mr. E. Gilbert | Mr. W. Mott | Mr. Swart |
| Mr. Clift | Mr. Gray | Mr. Nexen | Mr. Tabor |
| Mr. Cummings | Mr. Honeywell | Mr. Pearce | Mr. Teed |
| Mr. Deitz | Mr. Hopkins | Mr. Peck | Mr. Veeder |
| Mr. Dewey | Mr. Johnſon | Mr. Reynolds | Mr. Voorhis |
| Mr. Dodge | Mr. Landon | Mr. Savage | Mr. Wolle |

*For the Affirmative.*

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|---|---|---|---|---|
| Mr. Baldwin | Mr. Comſtock | Mr. J. M'Kinſtry | Mr. Schuneman | |
| Mr. Barker | Mr. German | Mr. M'Neil | Mr. Schuyler | |
| Mr. Bill | Mr. B. Gilbert | Mr. Moore | Mr. Shurtleff | |
| Mr. Blake | Mr. Heermance | Mr. Oſtrom | Mr. Skidmore | |
| Mr. Boyd | Mr. Henry | Mr. Philips | Mr. H. Smith | |
| Mr. Burr | Mr. Hoag | Mr. Prevoſt | Mr. S. Ten Broeck | |
| Mr. Burt | Mr. Hunt | Mr. Robins | Mr. Thomas | |
| Mr. Clark | Mr. M'Intyre | Mr. Root | Mr. Waren | |
| Mr. Coe | Mr. C. M'Kinſtry | Mr. Schermerhorn | Mr. Weſtcott | 36 |

Then the Houſe adjourned until nine o'clock on Monday morning next.

MONDAY, *nine o'clock, A. M. March 25th*, 1799.

The engroſſed bill entitled "An act for the relief of George Merchant, John I. Klock, John Joyce and David Cook," was read the third time.

*Reſolved*, That the bill do paſs.

The engroſſed bill entitled "An act to amend the act entitled "An act to lay a duty on ſtrong liquors, and for regulating inns and taverns," was read the third time.

*Reſolved*, That the bill do paſs.

The engroſſed bill entitled "An act for the relief of William Lighthall, Thomas Wilſon and Chriſtian Hartwick," was read the third time.

*Reſolved*, That the bill do paſs.

The engroſſed bill entitled "An act to amend the laws for the partition of lands," was read the third time.

*Reſolved*, That the bill do paſs.

*Ordered*, That Mr. Hopkins and Mr. Hunt deliver the four laſt mentioned bills to the Hon. the Senate, and requeſt their concurrence to the ſaid bills reſpectively.

A petition of John Dunlap and others was read and committed to a committee of the whole Houſe when on the bill entitled "An act to prevent diſſipated perſons from ſpending their eſtates."

The Surveyor-General to whom was referred the petition of Benjamin Wilſon, reported, that lands have been granted on all the certificates entitling perſons to locate, which Adam Putnam has depoſited in the Surveyor-General's office. The petitioner therefore cannot have any claim on the ſtate in conſequence thereof.

All which is reſpectfully ſubmitted.

SIMEON DE WITT, Surveyor-General.

*25th March*, 1799.

*Reſolved*, That this Houſe do agree with the Surveyor-General in his ſaid report.

The Houſe proceeded to the conſideration of the report of the committee on the meſſage of his Excellency the Governor of the 21ſt ult. The ſaid report was again read: Thereupon,

*Reſolved*, That Mr. Burr, Mr. Reynolds, Mr. Shurtleff, Mr. Hopkins and Mr. King be a committee to take into conſideration the propriety of ſelling the three per cent ſtock, and report thereon by bill or otherwiſe.

A meſſage from his Excellency the Governor, delivered by his private ſecretary, was read, and is in the words following, viz.

GENTLEMEN,

Having received from the Governors of the New-York Hoſpital their annual report and account, encloſed in a letter from their Preſident, dated the 18th inſt. I have now the honor of laying them before you.

JOHN JAY.

*Albany*, 25*th March*, 1799.

The papers which accompanied the ſaid meſſage were alſo read: Thereupon,

*Ordered*, That the ſaid meſſage of his Excellency the Governor and the papers accompanying the ſame, be committed to a committee of the whole Houſe.

Mr. Dewey from the committee of the whole Houſe on the bill entitled "An act relative to eſcheats and forfeitures," reported, that in proceeding in the ſaid bill, the laſt enacting clauſe thereof was read, and is in the words following, viz.

And be it further enacted, That no proceedings ſhall be had on account of the non-performance of the conditions of ſettlement contained in any original patent or patents iſſued under the great ſeal of this ſtate, until the firſt day of January one thouſand eight hundred and five.

That a motion was made to expunge the ſaid clauſe ; that debates were had, and the queſtion having been put thereon, it was carried in the affirmative ; that the yeas and nays were called for by Mr. Philip Smith, ſeconded by Mr. Reynolds, and were as follows, viz.

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Mr. Abeel | Mr. Crocker | Mr. Lefevre | Mr. Skidmore |
| Mr. Adams | Mr. Cummings | Mr. M'Intyre | Mr. A. Smith |
| Mr. Adriance | Mr. De Witt | Mr. J. M'Kinſtry | Mr. H. Smith |
| Mr. Baldwin | Mr. Dodge | Mr. Moore | Mr. John Smith |
| Mr. Barker | Mr. Fort | Mr. E. Mott | Mr. Swart |
| Mr. Bill | Mr. French | Mr. W. Mott | Mr. Tabor |
| Mr. Blake | Mr. Gates | Mr. Nexen | Mr. Teed |
| Mr. Boyd | Mr. German | Mr. Paine | Mr. S. Ten Broeck |
| Mr. Bruyn | Mr. B. Gilbert | Mr. Pearce | Mr. Thomas |
| Mr. Burr | Mr. Heermance | Mr. Peck | Mr. Van Benthuyſen |
| Mr. Burt | Mr. Henry | Mr. Reynolds | Mr. Veeder |
| Mr. Clark | Mr. Hogeboom | Mr. Root | Mr. Voorhis |
| Mr. Clift | Mr. Hopkins | Mr. Schermerhorn | Mr. Waren |
| Mr. Coe | Mr. Johnſon | Mr. Schuneman | Mr. Weſtcott |
| Mr. Comſtock | Mr. Landon | Mr. Shurtleff | Mr. Wolfe 63 |

*For the Negative.*

| | | | |
|---|---|---|---|
| Mr. Campbell | Mr. King | Mr. Oſtrom | Mr. Philip Smith |
| Mr. Fairlie | Mr. C. Lanſingh | Mr. Philips | Mr. Speaker |
| Mr. Gray | Mr. J. Lanſingh | Mr. Savage | Mr. Storm |
| Mr. Hoag | Mr. C. M'Kinſtry | Mr. Schuyler | Mr. Van Renſſelaer 19 |
| Mr. Hunt | Mr. M'Neil | Mr. John M. Smith | |

Mr. Dewey further reported, that the committee had gone through the bill, made amendments, added a clauſe and agreed to the ſame ; which he was directed to report to the Houſe, and he read the report in his place, and delivered the bill with the amendments and added clauſe in at the table, where the ſame were again read and agreed to by the Houſe.

*Ordered*, That the amendments be engroſſed.

A copy of a reſolution of the Hon. the Senate, delivered hy Mr. Jones and Mr. L'Hommedieu was read, that the Senate do concur with this Houſe in their reſolution as entered on the journal of this Houſe of the 23d inſt. relative to directing the ſtate printer to print 500 copies of certain communications for the Agricultural Society.

A meſſage from the Hon. the Senate, alſo delivered by Mr. Jones and Mr. L'Hommedieu, with the bill therein mentioned was read, that the Senate have paſſed the bill entitled "An act to eſtabliſh a turnpike corporation for improving the road from the city of Hudſon to the line of Maſſachuſetts, on the route to Hartford," to which they requeſt the concurrence of this houſe. The ſaid bill was read the firſt time, and by unanimous conſent was alſo read a ſecond time, and committed to the members attending this Houſe from the county of Columbia.

A meſſage from the Hon. the Senate, alſo delivered by Mr. Jones and Mr. L'Hommedieu, with the bill therein mentioned was read, that the Senate have paſſed the bill entitled "An act relative to the ſalt ſprings in the county of Onondaga," to which they requeſt the concurrence of this Houſe. The ſaid bill was read the firſt time, and by unanimous conſent was alſo read the ſecond time, and committed to a committee of the whole Houſe.

A meſſage from the Hon. the Senate, alſo delivered by Mr. Jones and Mr. L'Hommedieu, with the bill and amendments therein mentioned was read, that the Senate have paſſed the bill entitled "An act for the ſale of lands to John G. Houſe, Iſaac Rapalja and Samuel Bear," with the amendments therewith delivered. The bill and amendments were read, and the amendments having been again read, were ſeverally concurred in by the Houſe, and the bill ordered to be amended accordingly.

*Ordered*, That Mr. Hunt and Mr. Johnſon, deliver the bill to the Hon. the Senate, and inform them that this Houſe have concurred in their amendments to the bill, and have amended the ſame accordingly.

*Ordered*, That the conſideration of the reſolution of the Hon. the Senate of the 23d inſt. relative to adjourning on the firſt day of April, inſtead of the 28th inſt. be further poſtponed until Wedneſday next.

Mr. Weſtcott from the committee appointed for the purpoſe, brought in according to order, a bill entitled "An act for the relief of Robert Johnſon," which was read the firſt time, and by unanimous conſent was alſo read a ſecond time, and committed to Mr. John M. Smith, Mr. M'Intyre and Mr. Weſtcott.

Mr. Fairlie from the committee to whom was committed the bill entitled "An act concerning the Surveyor-General," reported, that the committee had gone through the bill, filled up the blanks and agreed to the ſame; which he was directed to report to the Houſe, and he read the report in his place, and delivered the bill in at the table, where it was again read and committed to a committee of the whole Houſe.

The Hon. the Senate returned by Mr. L'Hommedieu and Mr. Matthews, the bill entitled "An act for the relief of James Caldwell," and the bill entitled "An act to divide the town of Richfield in the county of Otſego, into three towns."

*Ordered*, That Mr. Johnſon and Mr. King, delivered the ſaid bills to the Hon. the Council of Reviſion.

Mr. Shurtleff from the committee of the whole Houſe, on the bill entitled "An act to amend the act to regulate ſales on execution, and to repeal the act entitled "An act to repeal the act for regulating ſales on execution, ſo far as reſpects goods and chattels, and providing for the payment of advertiſements on ſales of real eſtates," reported, that the committee had gone through the bill, made amendments, altered the title and agreed to the ſame, that the altered title is "An act further to amend the act to regulate ſales on execution;" which report he read in his place, and delivered the bill in at the table, where it was again read and agreed to by the Houſe.

*Ordered*, That the bill be engroſſed.

*Ordered*, That the committee of the whole Houſe be diſcharged from the further conſideration of the act entitled "An act to regulate the ſalting, repacking and inſpection of beef and pork for exportation," and that the ſame be committed to Mr. Swartwout, Mr. Heermance and Mr. Clift.

Mr. John M. Smith from the committee to whom was committed the bill entitled "An act for the relief of Robert Johnſton," reported, that the committee had gone through the bill and agreed to the ſame without amendment; which report he read in his place, and delivered the bill in at the table, where it was again read and agreed to by the Houſe.

*Ordered*, That the bill be engroſſed.

A meſſage from the Hon. the Council of Reviſion, delivered by the Hon. the Chief Juſtice was read, that it does not appear improper to the council, that the bill entitled "An act to aſcertain the line of diviſion between the towns of Trenton and Remſen in the county of Oneida, and for incorporating an aqueduct aſſociation in Whiteſborough in ſaid county," the bill entitled "An act to divide the town of Richfield in the the county of Otſego, into three towns," the bill entitled "An act for the relief of James Caldwell," ſhould reſpectively become laws of this ſtate.

Mr. Hogeboom from the committee of the whole Houſe on the meſſage of his Excellency the Governor of the 25th of February laſt, and the papers accompanying the ſame, reported, that after the ſaid meſſage had been read, Mr. Burr made a motion that the committee ſhould agree to a reſolution in the words following, viz.

*Reſolved*, as the ſenſe of this committee, That a committee be appointed to prepare and bring in a bill for diſcharging the claim of the United States to a balance reported againſt this ſtate, purſuant to the act of the Congreſs of the United States entitled "An act reſpecting balances reported againſt certain ſtates by the commiſſioners appointed to ſettle the accounts between the United States and the ſeveral ſtates."

That Mr: Comſtock, as an amendment, made a motion for a reſolution in the words following, viz.

*Reſolved*, as the ſenſe of this committee, That a ſelect committee be appointed to take into conſideration the meſſage of his Excellency the Governor of the 25th day of February laſt, and the papers accompanying the ſame, and report their opinion thereon to the Houſe by bill or otherwiſe.

That the queſtion having been put, whether the committee did agree to the reſolu-

tion propoſed by the motion of Mr. Comſtock, it paſſed in the negative; that the queſtion was then put on the reſolution propoſed by the motion of Mr. Burr, and it was carried in the affirmative; which he was directed to report to the Houſe, and he read the report in his place, and delivered the ſame in at the table, where it was again read and agreed to by the Houſe: Thereupon,

*Reſolved*, That a committee be appointed to prepare and bring in a bill for diſcharging the claim of the United States to a balance reported againſt this ſtate, purſuant to the act of the Congreſs of the United States, entitled "An act reſpecting balances reported againſt certain ſtates by the commiſſioners appointed to ſettle accounts between the United States and the ſeveral ſtates," and that Mr. Burr, Mr. M'Neil and Mr. Floyd be of the ſaid committee.

Mr. John M. Smith from the committee of ways and means, reported, that it appears, from the report of the Comptroller of this ſtate, that the reſources of the ſtate are not ſufficient to meet the ſeveral appropriations heretofore made, and to pay the annual expenſes of government; that the committee are therefore of opinion that it would be wiſe to paſs a law to authorize the raiſing of a certain ſum for the purpoſes aforeſaid, by tax, and they have directed their chairman to aſk for leave to bring in a bill to that effect.

*Ordered*, That the conſideration of the ſaid report be poſtponed until to-morrow.

Mr. Prevoſt from the committee of the whole Houſe on the bill entitled "An act to repeal the act entitled "An act for the encouragement of ſchools," reported, that after the ſaid bill had been read in the committee, a motion was made that the ſame be rejected, and queſtion having been put thereon, it was carried in the affirmative, which report he read in his place, and delivered the ſame in at the table, where it was again read and agreed to by the Houſe: Thereupon,

*Reſolved*, That the ſaid bill be, and the ſame is hereby rejected.

Then the Houſe adjourned until nine o'clock to-morrow morning.

TUESDAY, *nine o'clock, A. M. March 26th*, 1799.

The engroſſed bill entitled "An act to amend an act regulating ſales on executions," was read the third time.

Mr. Philip Smith made a motion that the ſaid bill ſhould be rejected, and it paſſed in the negative. The yeas and nays being called for by Mr. Philip Smith, ſeconded by Mr. John M. Smith, were as follows, viz.

*For the Negative.*

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|---|---|---|---|---|
| Mr. Abeel | Mr. German | Mr. E. Mott | Mr. A. Smith | |
| Mr. Adriance | Mr. E. Gilbert | Mr. W. Mott | Mr. H. Smith | |
| Mr. Arcularius | Mr. Heermance | Mr. Nexen | Mr. Snell | |
| Mr. Boyd | Mr. Henry | Mr. Oſtrom | Mr. Storm | |
| Mr. Burt | Mr. Hogeboom | Mr. Paine | Mr. Swartwout | |
| Mr. Clark | Mr. Hopkins | Mr. Pearce | Mr. Tabor | |
| Mr. Coe | Mr. Hunt | Mr. Peck | Mr. Teed | |
| Mr. Comſtock | Mr. Johnſon | Mr. Philips | Mr. S. Ten Broeck | |
| Mr. Corl | Mr. Landon | Mr. Reynolds | Mr. Thomas | |
| Mr. Crocker | Mr. C. Lanſingh | Mr. Robins | Mr. Van Renſſelaer | |
| Mr. Cummings | Mr. Lefevre | Mr. Savage | Mr. Veeder | |
| Mr. Dodge | Mr. C. M'Kinſtry | Mr. Schermerhorn | Mr. Waren | |
| Mr. Furman | Mr. M'Neil | Mr. Shurtleff | Mr. Weſtcott | |
| Mr. Gates | Mr. Moore | Mr. Skidmore | Mr. Wolfe | 56 |

*For the Affirmative.*

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|---|---|---|---|---|
| Mr. Adams | Mr. De Witt | Mr. J. Lanſingh | Mr. Schuyler | |
| Mr. Barker | Mr. Doty | Mr. J. M'Kinſtry | Mr. John Smith | |
| Mr. Bill | Mr. Fort | Mr. Pauling | Mr. John M. Smith | |
| Mr. Bruyn | Mr. French | Mr. Root | Mr. Philip Smith | |
| Mr. Campbell | Mr. B. Gilbert | Mr. Schuneman | Mr. Swart | 22 |
| Mr. Dewey | Mr. Gray | | | |

Thereupon, *Reſolved*, That the bill do paſs.

The engroſſed bill entitled "An act for the relief of Robert Johnſton," was read the third time.

*Reſolved*, That the bill do paſs.

*Ordered*, That Mr. C. Lanſingh and Mr. J. Lanſingh deliver the two laſt mentioned bills to the Hon. the Senate, and requeſt their concurrence.

*Ordered*, That the committee of the whole Houſe be diſcharged from the further conſideration of the bill entitled "An act for continuing in force an act entitled "An act repealing an act entitled "An act for granting and ſecuring to John Fitch the ſole right and advantage of making and employing the ſteam boat by him lately invented, and for other purpoſes," and that the ſame be committed to a ſelect committee conſiſting of Mr. S. Ten Broeck, Mr. Dodge and Mr. Henry.

*Ordered*, That the committee of the whole Houſe be diſcharged from the further conſideration of the bill entitled "An act relative to the ſalt ſprings in the county of Onondaga," and that the ſame be committed to a ſelect committee conſiſting of Mr. Paine, Mr. M'Neil and Mr. German.

Mr. Swartwout from the committee to whom was committed the bill entitled "An act to regulate the ſalting, repacking and inſpection of beef and pork for exportation," reported, that the committee had gone through the bill and agreed to the ſame without amendment, which he was directed to report to the Houſe, and he read the report in his place, and delivered the ſame in at the table, where it was again read and agreed to by the Houſe, and the bill ordered a third reading.

Mr. Bruyn from the committee to whom was referred the petition of Richard Freeman, reported againſt the prayer thereof, which report was agreed to by the Houſe.

Mr. S. Ten Broeck from the committee to whom was committed the bill entitlſed "An act to incorporate the turnkpike corporation for improving the road from the city of Hudſon to the line of Maſſachuſetts on the route to Hartford," reported, that the committee had gone through the bill, made an amendment and agreed to the ſame, which he was directed to report to the Houſe, and he read the report in his place, and delivered the bill and amendments in at the table, where they were again read and agreed to by the Houſe.

*Ordered*, That the amendment be engroſſed.

Mr. S. Ten Broeck from the committee to whom was committed the bill entitled "An act for continuing in force an act entitled "An act repealing an act entitled "An act for granting and ſecuring to John Fitch, the ſole right and advantage of making and employing the ſteam boat by him lately invented, and for other purpoſes," reported, that the committee had gone through the bill, made an amendment and agreed to the ſame; which he was directed to report to the Houſe, and he read the report in his place, and delivered the bill and amendment in at the table, where the ſame were again read and agreed to by the Houſe.

*Ordered*, That the amendment be engroſſed.

Mr. J. M'Kinſtry from the committee to whom was referred the petition of Aſher Ford, reported, that it appears by the certificate of Jacob John Lanſing, commiſſary of muſters for the ſtate of New-York, that the ſaid Aſher Ford enliſted in purſuance of an act of the Legiſlature of this ſtate, entitled "An act for raiſing two regiments on bounties of unappropriated lands, and for the defence of this ſtate," paſſed the 18th day of March, 1781; and it further appears to the committee, by the documents accompanying the petition, that the ſaid Aſher Ford was duly and regularly diſcharged. The committee are therefore of opinion, that he is entitled to relief; they have prepared a bill for ſuch purpoſe, and have directed him to move for leave to bring in the ſame.

Leave being given, Mr. M'Kinſtry brought in the ſaid bill entitled "An act for the relief of Aſher Ford," which was read the firſt time, and by unanimous conſent was alſo read the ſecond time, and committed to a committee of the whole Houſe.

Mr. Burr from the committee appointed for that purpoſe, brought in according to order, a bill entitled "An act to provide for the ſupport of government," which was read the firſt time, and by unanimous conſent was alſo read the ſecond time, and committed to a committee of the whole Houſe.

A meſſage from the Hon. the Senate, delivered by Mr. T. Morris and Mr. Myers, with the bill therein mentioned was read, that the Senate have paſſed the bill entitled "An act for extending the time limited by the laſt ſection of the act entitled "An act to ſettle diſputes concerning the titles to lands in the county of Onondaga," to which they requeſt the concurrence of this Houſe. The ſaid bill was read the firſt time, and ordered a ſecond reading.

A meſſage from the Hon. the Senate, alſo delivered by Mr. T. Morris and Mr. Myers, with the bill and a copy of the reſolution therein mentioned was read, that the Senate do not concur with this Houſe in their four firſt amendments which are for that purpoſe deſignated, and do concur in their three other amendments to the bill entitled "An act to inveſt the Mayor, Aldermen and Commonalty of the city of New-York with adequate powers in relation to certain objects of importance to the health of the ſaid city." The amendments which were not concurred in by the Hon. the Senate were read; one of the amendments is to add a clauſe to the bill in the words following, viz.

And be it further enacted, That the Council of Appointment ſhall forthwith, after the paſſing of this act, appoint ſeven commiſſioners, who ſhall have full power and authority until the 1ſt May, 1800, to carry into effect, in ſuch manner as they may judge beſt, ſo much of this act as relates to the filling in, and regulating all grounds, lots, ſlips, wharves, cellars, ſinks and ſewers; and ſhall alſo have full power and authority until the ſaid 1ſt May, to do and execute all ſuch other things, and make ſuch further regulations as a regard to the health of the ſaid city, may in their opinion require.

A motion was made that this Houſe do adhere to their ſaid amendments, and it paſſed in the negative. The yeas and nays were called for by Mr. Swartwout, ſeconded by Mr. Robins, and were as follows, viz.

*For the Negative.*

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|---|---|---|---|
| Mr. Arcularius | Mr. De Witt | Mr. C. Lanſingh | Mr. Savage |
| Mr. Barker | Mr. Doty | Mr. J. Lanſingh | Mr. Schermerhorn |
| Mr. Bill | Mr. Floyd | Mr. C. M'Kinſtry | Mr. Schuyler |
| Mr. Bruyn | Mr. Fort | Mr. W. Mott | Mr. H. Smith |
| Mr. Coe | Mr. Furman | Mr. Nexen | Mr. John M. Smith |
| Mr. Comſtock | Mr. Gray | Mr. Oſtrom | Mr. Philip Smith |
| Mr. Corl | Mr. Heermance | Mr. Paine | Mr. Storm |
| Mr. Crocker | Mr. Hoag | Mr. Pauling | Mr. Teed |
| Mr. Cummings | Mr. Hopkins | Mr. Pearce | Mr. Thomas |
| Mr. Deitz | Mr. King | Mr. Reynolds | Mr. Voorhis |
| Mr. Dewey | Mr. Landon | Mr. Root | Mr. Weſtcott 44 |

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Mr. Abeel | Mr. Dodge | Mr. M'Neil | Mr. A. Smith |
| Mr. Adams | Mr. Fairlie | Mr. Moore | Mr. Snell |
| Mr. Adriance | Mr. German | Mr. Peck | Mr. Swart |
| Mr. Baldwin | Mr. Henry | Mr. Philips | Mr. Swartwout |
| Mr. Boyd | Mr. Honeywell | Mr. Prevoſt | Mr. Tabor |
| Mr. Burr | Mr. Hunt | Mr. Robins | Mr. S. Ten Broeck |
| Mr. Campbell | Mr. Johnſon | Mr. Schuneman | Mr. Van Benthuyſen |
| Mr. Clark | Mr. Lefevre | Mr. Skidmore | Mr. Wolfe 34 |
| Mr. Clift | Mr. M'Intyre | | |

Another of the ſaid amendments was to add a clauſe in the words following, viz.

And to relieve the ſaid city in ſome meaſure from the oppreſſive burthens impoſed on the inhabitants thereof by recent calamities, Be it further enacted, That from and after the firſt day of April next, the duties ariſing from the ſales at auction in the ſaid city, are hereby granted to the Mayor, Aldermen and Commonalty of the ſaid city, during the pleaſure of the Legiſlature, to be applied as herein after directed; and not otherwiſe, that is to ſay, that the common council of the ſaid city may borrow on the credit of the ſaid fund, ſuch ſum as ſhall be ſufficient for the purpoſes of executing this act, and ſhall pay thereof to the ſaid commiſſioners, ſuch ſums as they ſhall from time to time require, not exceeding one hundred thouſand dollars; and may alſo borrow on the credit of the ſaid fund, ſuch further ſum as may be requiſite for the ſupport of the foreign poor of the ſaid city, during the current year.

A motion was made that the Houſe do adhere to their ſaid amendment, and it was carried in the negative. The yeas and nays were called for by Mr. Philip Smith, ſeconded by Mr. Pearce, and were as follows, viz.

*For the Negative.*

| | | | | |
|---|---|---|---|---|
| Mr. Abeel | Mr. De Witt | Mr. Lefevre | Mr. Schuyler | |
| Mr. Adriance | Mr. Fort | Mr. M'Intyre | Mr. John Smith | |
| Mr. Barker | Mr. Gates | Mr. C. M'Kinſtry | Mr. John M. Smith | |
| Mr. Bill | Mr. Gray | Mr. Oſtrom | Mr. Philip Smith | |
| Mr. Bruyn | Mr. Henry | Mr. Paine | Mr. Snell | |
| Mr. Campbell | Mr. Hoag | Mr. Pearce | Mr. Swart | |
| Mr. Coe | Mr. Hogeboom | Mr. Peck | Mr. Teed | |
| Mr. Comſtock | Mr. Hopkins | Mr. Reynolds | Mr. S. Ten Broeck | |
| Mr. Crocker | Mr. King | Mr. Root | Mr. Thomas | |
| Mr. Cummings | Mr. Landon | Mr. Savage | Mr. Voorhis | |
| Mr. Deitz | Mr. C. Lanſingh | Mr. Schermerhorn | Mr. Weſtcott | 45 |
| Mr. Dewey | | | | |

*For the Affirmative.*

| | | | | |
|---|---|---|---|---|
| Mr. Adams | Mr. Floyd | Mr. M'Neil | Mr. Skidmore | |
| Mr. Arcularius | Mr. French | Mr. Moore | Mr. A. Smith | |
| Mr. Boyd | Mr. German | Mr. W. Mott | Mr. H. Smith | |
| Mr. Burr | Mr. Heermance | Mr. Nexen | Mr. Storm | |
| Mr. Clift | Mr. Honeywell | Mr. Philips | Mr. Swartwout | |
| Mr. Corl | Mr. Hunt | Mr. Prevoſt | Mr. Van Benthuyſen | |
| Mr. Dodge | Mr. Johnſon | Mr. Robins | Mr. Wolfe | 31 |
| Mr. Fairlie | Mr. J. Lanſingh | Mr. Schuneman | | |

Thereupon *Reſolved*, That this Houſe do recede from their amendments to the ſaid bill not concurred in by the Hon. the Senate.

*Reſolved*, That Mr. J. Lanſingh and Mr. Lefevre, deliver the bill, amendments and a copy of the preceding reſolution to the Hon. the Senate.

A meſſage from the Hon. the Senate, alſo delivered by Mr. T. Morris and Mr. Myers, with the bill therein mentioned was read, that the Senate have amended the bill entitled "An act altering the times of holding the courts of common pleas and general ſeſſions of the peace in certain counties therein mentioned, and relative to the circuit court in the county of Renſſelaer," purſuant to the amendments of this Houſe concurred in by the Hon. the Senate.

The amended bill having been examined,

*Ordered*, That Mr. C. Lanſing and Mr. J. Lanſingh, return the bill to the Hon. the Senate.

The Hon. the Senate returned by Mr. T. Morris and Mr. Myers, the bill entitled "An act for the aſſeſſment and collection of taxes."

*Ordered*, That Mr. Landon and Mr. C. Lanſing, deliver the bill to the Hon. the Council of Reviſion.

The Houſe proceeded to the conſideration of the report of the committee of ways and means as entered on the journal of this Houſe yeſterday.

A motion was made that the conſideration of the ſaid report be poſtponed until Thurſday next.

Mr. Speaker put the queſtion on the ſaid motion, and it paſſed in the negative. The yeas and nays being called for by Mr. M'Neil, ſeconded by Mr. Prevoſt, were as follows, viz.

*For the Negative.*

| | | | | |
|---|---|---|---|---|
| Mr. Arcularius | Mr. French | Mr. Lefevre | Mr.Schermerhorn | |
| Mr. Barker | Mr. Furman | Mr. C. M'Kinſtry | Mr. Schuneman | |
| Mr. Bill | Mr. Gates | Mr. M'Neil | Mr. Schuyler | |
| Mr. Boyd | Mr. German | Mr. Moore | Mr. Shurtleff | |
| Mr. Bruyn | Mr. B. Gilbert | Mr. W. Mott | Mr. John M. Smith | |
| Mr. Burr | Mr. E. Gilbert | Mr. Nexen | Mr. Philip Smith | |
| Mr. Campbell | Mr. Gray | Mr. Oſtrom | Mr. Storm | |
| Mr. Clark | Mr. Heermance | Mr. Paine | Mr. Swart | |
| Mr. Clift | Mr. Henry | Mr. Pearce | Mr. S. Ten Broeck | |
| Mr. Coe | Mr. Hopkins | Mr. Peck | Mr. Thomas | |
| Mr. Corl | Mr. Hunt | Mr. Philips | Mr. Van Benthuyſen | |
| Mr. Deitz | Mr. King | Mr. Prevoſt | Mr. Van Renſſelaer | |
| Mr. De Witt | Mr. C. Lanſingh | Mr. Reynolds | Mr. Voorhis | |
| Mr. Doty | Mr. J. Lanſingh | Mr. Savage | Mr. Wolfe | 57 |
| Mr. Fairlie | | | | |

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Mr. Adams | Mr. Hogeboom | Mr. Root | Mr. Swartwout |
| Mr. Baldwin | Mr. Honeywell | Mr. Skidmore | Mr. Tabor |
| Mr. Blake | Mr. Johnſon | Mr. A. Smith | Mr. Teed |
| Mr. Burt | Mr. Landon | Mr. H. Smith | Mr. Veeder |
| Mr. Comſtock | Mr. M'Intyre | Mr. John Smith | Mr. Waren |
| Mr. Dewey | Mr. Robins | Mr. Snell | Mr. Weſtcott |
| Mr. Floyd | | | |

Thereupon, *Ordered*, That the conſideration of the ſaid report be further poſtponed until to-morrow.

Mr. M'Neil from the committee to whom was committed the bill entitled "An act relative to the ſalt ſprings in the county of Onondaga," reported, that the committee had gone through the bill and agreed to the ſame without amendment, which he was directed to report to the Houſe, and he read the report in his place, and delivered the ſame in at the table, where it was again read and agreed to by the Houſe, and the bill ordered a third reading.

Mr. M'Intyre from the committee of the whole Houſe on the bill entitled "An act to explain the ſeveral reſolutions of the Senate & Aſſembly relative to the perſons entitled to bounty lands for military ſervices," reported, that in proceeding in the ſaid bill, Mr. Comſtock made a motion to reject the ſame; that debates were had, and the queſtion having been put thereon, it paſſed in the negative; that the yeas and nays were called for by Mr. Swartwout, ſeconded by Mr. Robins, and were as follows, viz.

*For the Negative.*

| | | | |
|---|---|---|---|
| Mr. Adams | Mr. Doty | Mr. J. Lanſingh | Mr. Philips |
| Mr. Arcularius | Mr. Fairlie | Mr. C. M'Kinſtry | Mr. Robins |
| Mr. Baldwin | Mr. Furman | Mr. J. M'Kinſtry | Mr. Schermerhorn |
| Mr. Blake | Mr. B. Gilbert | Mr. M'Neil | Mr. Schuneman |
| Mr. Boyd | Mr. Gray | Mr. Moore | Mr. Shurtleff |
| Mr. Burr | Mr. Hoag | Mr. E. Mott | Mr. Snell |
| Mr. Burt | Mr. Hogeboom | Mr. Nexen | Mr. Speaker |
| Mr. Clark | Mr. Honeywell | Mr. Paine | Mr. Swartwout |
| Mr. Coe | Mr. Johnſon | Mr. Pauling | Mr. Veeder |
| Mr. Dodge | Mr. C. Lanſingh | Mr. Peck | Mr. Wolfe |

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Mr. Abeel | Mr. Deitz | Mr. Hopkins | Mr. John Smith |
| Mr. Adriance | Mr. De Witt | Mr. Landon | Mr. John M. Smith |
| Mr. Barker | Mr. Floyd | Mr. Lefevre | Mr. Philip Smith |
| Mr. Bill | Mr. Fort | Mr. W. Mott | Mr. Storm |
| Mr. Bruyn | Mr. French | Mr. Pearce | Mr. Swart |
| Mr. Clift | Mr. German | Mr. Reynolds | Mr. Tabor |
| Mr. Comſtock | Mr. E. Gilbert | Mr. A. Smith | Mr. Weſtcott |
| Mr. Crocker | Mr. Henry | Mr. H. Smith | |

That in further proceeding in the ſaid bill the ſecond enacting clauſe thereof was read, and is in the words following, viz.

And be it further enacted, That all officers and ſoldiers who come under the deſcription aforeſaid, and were not returned or were killed, or who died while in actual ſervice, are entitled to a gratuity in bounty lands.

That the queſtion having been put, whether the committee did agree to the ſaid clauſe, it was carried in the affirmative; that the yeas and nays were called for by Mr. Hopkins, ſeconded by Mr. French, and were as follows, viz.

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Mr. Adams | Mr. Dodge | Mr. C. Lanſingh | Mr. Robins |
| Mr. Arcularius | Mr. Doty | Mr. C. M'Kinſtry | Mr. Schermerhorn |
| Mr. Baldwin | Mr. Fairlie | Mr. J. M'Kinſtry | Mr. Schuneman |
| Mr. Blake | Mr. Floyd | Mr. Moore | Mr. Shurtleff |
| Mr. Boyd | Mr. Furman | Mr. E. Mott | Mr. Snell |
| Mr. Bruyn | Mr. B. Gilbert | Mr. Nexen | Mr. Speaker |
| Mr. Burr | Mr. Henry | Mr. Oſtrom | Mr. Swartwout |
| Mr. Burt | Mr. Hoag | Mr. Paine | Mr. Veeder |
| Mr. Clark | Mr. Hogeboom | Mr. Pauling | Mr. Weſtcott |
| Mr. Coe | Mr. Honeywell | Mr. Peck | Mr. Wolfe |
| Mr. Corl | Mr. Johnſon | Mr. Philips | |

*For the Negative.*

| | | | |
|---|---|---|---|
| Mr. Abeel | Mr. De Witt | Mr. J. Lanſingh | Mr. H. Smith |
| Mr. Adriance | Mr. Fort | Mr. Lefevre | Mr. John Smith |
| Mr. Barker | Mr. French | Mr. W. Mott | Mr. John M. Smith |
| Mr. Bill | Mr. German | Mr. Pearce | Mr. Philip Smith |
| Mr. Clift | Mr. E. Gilbert | Mr. Reynolds | Mr. Storm |
| Mr. Comſtock | Mr. Gray | Mr. Root | Mr. Swart |
| Mr. Crocker | Mr. Hopkins | Mr. A. Smith | Mr. Tabor |
| Mr. Deitz | Mr. Landon | | |

That the laſt enacting clauſe of the ſaid bill was read, and is in the words following, viz.

And be it further enacted, That all patents which have been iſſued in the name of officers and ſoldiers who died or were killed while in the ſervice, are hereby declared to be valid and of full effect; and that all patents hereafter iſſued to the heirs of ſuch officers and ſoldiers ſhall be filled up in the name of the officer or ſoldier who ſerved for the ſame.

That the queſtion having been put, whether the committee did agree to the ſaid clauſe, it was carried in the affirmative; that the yeas and nays were called for by Mr. Hopkins, ſeconded by Mr. Crocker, and were as follows, viz.

*For the Affirmative.*

| | | | | |
|---|---|---|---|---|
| Mr. Adams | Mr. Doty | Mr. J. M'Kinſtry | Mr. Savage | |
| Mr. Arcularius | Mr. Fairlie | Mr. M'Neil | Mr. Schermerhorn | |
| Mr. Baldwin | Mr. Furman | Mr. Moore | Mr. Schuneman | |
| Mr. Blake | Mr. B. Gilbert | Mr. E. Mott | Mr. Shurtleff | |
| Mr. Boyd | Mr. Gray | Mr. Nexen | Mr. H. Smith | |
| Mr. Bruyn | Mr. Hoag | Mr. Oſtrom | Mr. Snell | |
| Mr. Burr | Mr. Hogeboom | Mr. Paine | Mr. Speaker | |
| Mr. Burt | Mr. Honeywell | Mr. Pauling | Mr. Storm | |
| Mr. Clark | Mr. Johnſon | Mr. Pearce | Mr. Swartwout | |
| Mr. Clift | Mr. King | Mr. Peck | Mr. Veeder | |
| Mr. Coe | Mr. C. Lanſingh | Mr. Philips | Mr. Weſtcott | |
| Mr. Corl | Mr. C. M'Kinſtry | Mr. Robins | Mr. Wolfe | 49 |
| Mr. Dodge | | | | |

*For the Negative.*

| | | | | |
|---|---|---|---|---|
| Mr. Abeel | Mr. Fort | Mr. Landon | Mr. A. Smith | |
| Mr. Barker | Mr. French | Mr. J. Lanſingh | Mr. John Smith | |
| Mr. Comſtock | Mr. German | Mr. W. Mott | Mr. John M. Smith | |
| Mr. Crocker | Mr. E. Gilbert | Mr. Reynolds | Mr. Swart | |
| Mr. Floyd | Mr. Hopkins | Mr. Root | Mr. Tabor | 20 |

Mr. M'Intyre further reported, that the committee had gone through the bill, made amendments, altered the title and agreed to the ſame; that the altered title is "An act relative to bounty lands," which report he read in his place, and delivered the bill and amendments in at the table, where they were again read and agreed to by the Houſe.

*Ordered*, That the bill be engroſſed.

Then the Houſe adjourned until nine o'clock to-morrow morning.

WEDNESDAY, *nine o'clock A. M. March 27th*, 1799.

The bill entitled "An act to regulate the ſalting, repacking and inſpection of beef and pork for tranſportation," was read the third time.

Mr. Savage made a motion for a clauſe to be added to the ſaid bill which was read, and is in the words following, viz.

And be it further enacted, That all neat cattle under three years old ſhall be exempted from taxation.

Mr. Speaker put the queſtion on the motion of Mr. Savage, and it was carried in the affirmative. The yeas and nays being called for by Mr. Prevoſt, ſeconded by Mr. Savage, were as follows, viz.

*For the Affirmative.*

| | | | | |
|---|---|---|---|---|
| Mr. Abeel | Mr. Dodge | Mr. J. Lanſingh | Mr. A. Smith | |
| Mr. Adriance | Mr. Doty | Mr. C. M'Kinſtry | Mr. H. Smith | |
| Mr. Barker | Mr. Fort | Mr. Paine | Mr. Philip Smith | |
| Mr. Blake | Mr. Gates | Mr. Pauling | Mr. Snell | |
| Mr. Bruyn | Mr. B. Gilbert | Mr. Pearce | Mr. Swart | |
| Mr. Burt | Mr. E. Gilbert | Mr. Peck | Mr. Tabor | |
| Mr. Clark | Mr. Gray | Mr. Reynolds | Mr. Teed | |
| Mr. Clift | Mr. Henry | Mr. Root | Mr. Van Benthuyſen | |
| Mr. Comſtock | Mr. Hopkins | Mr. Savage | Mr. Veeder | |
| Mr. Crocker | Mr. Landon | Mr. Schuneman | Mr. Waren | |
| Mr. Dewey | Mr. C. Lanſingh | Mr. Schuyler | Mr. Weſtcott | 46 |
| Mr. De Witt | Mr. Lefevre | | | |

*For the Negative.*

| | | | | |
|---|---|---|---|---|
| Mr. Adams | Mr. German | Mr. Micheau | Mr. Schermerhorn | |
| Mr. Arcularius | Mr. Heermance | Mr. Moore | Mr. Shurtleff | |
| Mr. Bill | Mr. Hoag | Mr. E. Mott | Mr. Skidmore | |
| Mr. Boyd | Mr. Honeywell | Mr. W. Mott | Mr. John Smith | |
| Mr. Burr | Mr. Hunt | Mr. Nexen | Mr. John M. Smith | |
| Mr. Coe | Mr. Johnſon | Mr. Oſtrom | Mr. Storm | |
| Mr. Cummings | Mr. J. Lanſingh. | Mr. Philips | Mr. Swartwout | |
| Mr. Fairlie | Mr. M'Intyre | Mr. Prevoſt | Mr. Voorhis | |
| Mr. French | Mr. M'Neil | Mr. Robins | Mr. Wolfe | 37 |
| Mr. Furman | | | | |

*Ordered*, That the amendment be engroſſed.

The bill entitled "An act relative to the ſalt ſprings in the county of Onondaga," was read the third time.

*Reſolved*, That the bill do paſs.

*Ordered*, That Mr. M'Intyre and Mr. C. M'Kinſtry, deliver the bill to the Hon. the Senate, and inform them that this Houſe have paſſed the ſame without amendment.

The engroſſed bill entitled "An act relative to bounty lands," was read the third time.

A motion was made that the ſaid bill ſhould be rejected, and the queſtion having been put, it was carried in the affirmative. The yeas and nays being called for by Mr. Adriance, ſeconded by Mr. Robins, were as follows, viz.

*For the Negative.*

| | | | | |
|---|---|---|---|---|
| Mr. Abeel | Mr. Doty | Mr. Lefevre | Mr. John Smith | |
| Mr. Adriance | Mr. Floyd | Mr. M'Intyre | Mr. John M. Smith | |
| Mr. Bill | Mr. Fort | Mr. Micheau | Mr. Philip Smith | |
| Mr. Bruyn | Mr. French | Mr. W. Mott | Mr. Storm | |
| Mr. Clift | Mr. Gates | Mr. Pearce | Mr. Swart | |
| Mr. Comſtock | Mr. German | Mr. Reynolds | Mr. Tabor | |
| Mr. Crocker | Mr. E. Gilbert | Mr. Root | Mr. Teed | |
| Mr. Cummings | Mr. Gray | Mr. Schuyler | Mr. Voorhis | |
| Mr. Deitz | Mr. Henry | Mr. A. Smith | Mr. Waren | |
| Mr. Dewey | Mr. Hopkins | Mr. H. Smith | Mr. Weſtcott | 41 |
| Mr. De Witt | Mr. Landon | | | |

*For the Affirmative.*

| | | | | |
|---|---|---|---|---|
| Mr. Adams | Mr. Furman | Mr. Moore | Mr. Savage | |
| Mr. Blake | Mr. B. Gilbert | Mr. E. Mott | Mr. Schermerhorn | |
| Mr. Boyd | Mr. Hoag | Mr. Nexen | Mr. Schuneman | |
| Mr. Burr | Mr. Hogeboom | Mr. Oſtrom | Mr. Shurtleff | |
| Mr. Burt | Mr. Johnſon | Mr. Paine | Mr. Snell | |
| Mr. Campbell | Mr. C. Lanſingh | Mr. Pauling | Mr. Swartwout | |
| Mr. Clark | Mr. J. Lanſingh | Mr. Peck | Mr. Thomas | |
| Mr. Coe | Mr. C. M'Kinſtry | Mr. Philips | Mr. Veeder | |
| Mr. Dodge | Mr. J. M'Kinſtry | Mr. Robins | Mr. Wolfe | 38 |
| Mr. Fairlie | Mr. M'Neil | | | |

The bill entitled "An act for extending the time limited by the laſt ſection of the act entitled "An act to ſettle diſputes concerning the titles to lands in the county of Onondaga," was read the ſecond time and committed to a committee of the whole Houſe.

A meſſage from the Hon. the Senate, delivered by Mr. Myers and Mr. Phelps, with the bill therein mentioned was read, that the Senate have paſſed the bill entitled "An act for the inſpection of flour and meal," with the amendments therewith delivered. The bill and amendments were read, and the amendments having been read the ſecond time, were ſeverally concurred in by this Houſe, and the bill ordered to be amended accordingly.

*Ordered*, That Mr. Micheau and Mr. Moore, deliver the bill to the Hon. the Senate, and inform them that this Houſe have concurred in their amendments to the ſaid bill, and have amended the ſame accordingly.

A meſſage from the Hon. the Senate, alſo delivered by Mr. Myers and Mr. Phelps, with the bill therein mentioned was read, that the Senate have paſſed the bill entitled "An act for the better ſupport of the Oneida Indians," to which they requeſt the concurrence of this Houſe. The ſaid bill was read the firſt time, and by unanimous conſent was alſo read the ſecond time, and committed to a committee of the whole Houſe.

A meſſage from the Hon. the Senate, alſo delivered by Mr. Myers and Mr. Phelps, with the bill therein mentioned was read, that the Senate have concurred in the amendments of this Houſe to the bill entitled "An act inveſting the Mayor Aldermen and Commonalty of the city of New-York with adequate powers in relation to certain objects of importance to the health of the ſaid city," and have amended the ſame accordingly.

The amended bill having been examined,

*Ordered*, That Mr. Micheau and Mr. Moore return the bill to the Hon. the Senate.

The Hon. the Senate returned, by Mr. Myers and Mr. Phelps, the bill entitled "An act for the ſale of lands to John G. Houſe, Iſaac Rapalja and Samuel Bear."

*Ordered* That Mr. Lefevre and Mr. M'Neil deliver the bill to the Hon. the Counſil of Reviſion.

A petition of David Thomas was read and referred to Mr. Savage, Mr. Fairlie and Mr. Gates.

Mr. Fairlie from the committee conſiſting of the members attending this Houſe from the city and county of New-York, to whom were referred ſundry memorials relative to ſupplying the ſaid city with water, reported in favor of the memorialiſts, and obtained leave to bring in a bill entitled "An act for ſupplying the city of New-York with pure and wholeſome water," which was read the firſt time, and by unanimous conſent was alſo read a ſecond time, and committed to Mr. Burr, Mr. J. Lanſingh and Mr. M'Neil.

Mr. Storm from the committee to whom was committed the bill entitled "An act to enable the Mayor, Recorder and Aldermen of the city of New-York to order the raiſing monies by tax for the maintenance of the poor, and for defraying the other expenſes ariſing in the ſaid city and county of New-York, reported, that the committee had gone through the bill, filled up the blanks and agreed to the ſame, which report he read in his place, and delivered the bill in at the table, where the ſame was again read and agreed to by the Houſe.

*Ordered*, That the bill be engroſſed.

Mr. Burr from the committee appointed for the purpoſe, brought in, according to order, a bill entitled "An act relative to the balance claimed by the United States to be due from the ſtate of New-York," which was read the firſt time and ordered a ſecond reading.

The Houſe proceeded to the conſideration of the reſolution of the Hon. the Senate propoſing an adjournment of the Legiſlature on Monday the 1ſt of April next, inſtead of the 28th inſtant.

A motion was made that this Houſe ſhould concur with the Hon. the Senate in the ſaid reſolution, and it was carried in the affirmative: Thereupon,

*Reſolved*, That this Houſe do concur with the Hon. the Senate in their ſaid reſolution.

*Ordered*, That Mr. Moore and Mr. E. Mott deliver a copy of the ſaid reſolution to the Hon. the Senate.

The bill entitled "An act to regulate the ſalting, repacking and inſpection of beef and pork for exportation," with the engroſſed amendments, was read the third time.

*Reſolved*, That the bill do paſs.

The bill entitled "An act to eſtabliſh a turnpike corporation for improving the road from the city of Hudſon to the line of Maſſachuſetts, on the route to Hartford," with the engroſſed amendments, was read the third time.

*Reſolved*, That the bill do paſs.

*Ordered*, That Mr. M'Intyre and Mr. C. M'Kinſtry deliver the two laſt mentioned bills to the Hon. the Senate, and inform them that this Houſe have paſſed the ſaid bills with the amendments therewith reſpectively delivered.

Mr. Prevoſt from the committee of the whole Houſe, on the bill entitled "An act for the ſupport of government," reported, that after the ſaid bill had been read in the committee, Mr. Reynolds made a motion to reject the ſame; that debates were had, and the queſtion having been put thereon, it paſſed in the negative. That the yeas and nays were called for by Mr. Reynolds, ſeconded by Mr. Baldwin, and were as follows, viz.

*For the Negative.*

| | | | |
|---|---|---|---|
| Mr. Abeel | Mr. Dodge | Mr. M'Intyre | Mr. A. Smith |
| Mr. Adams | Mr. Fairlie | Mr. Micheau | Mr. B. Smith |
| Mr. Adriance | Mr. Floyd | Mr. Moore | Mr. John Smith |
| Mr. Arcularius | Mr. Fort | Mr. E. Mott | Mr. Snell |
| Mr. Blake | Mr. Gates | Mr. W. Mott | Mr. Speaker |
| Mr. Boyd | Mr. B. Gilbert | Mr. Nexen | Mr. Swart |
| Mr. Bruyn | Mr. E. Gilbert | Mr. Pauling | Mr. Swartwout |
| Mr. Burr | Mr. Gray | Mr. Pearce | Mr. Tabor |
| Mr. Burt | Mr. Henry | Mr. Peck | Mr. Teed |
| Mr. Clark | Mr. Hogeboom | Mr. Philips | Mr. Thomas |
| Mr. Clift | Mr. Honeywell | Mr. Robins | Mr. Van Benthuysen |
| Mr. Coe | Mr. Hopkins | Mr. Root | Mr. Veeder |
| Mr. Comstock | Mr. Hunt | Mr. Savage | Mr. Voorhis |
| Mr. Corl | Mr. Johnson | Mr. Schermerhorn | Mr. Waren |
| Mr. Crocker | Mr. C. Lansingh | Mr. Schuneman | Mr. Wescott |
| Mr. Dewey | Mr. J. Lansingh | Mr. Shurtleff | Mr. Wolfe |
| Mr. De Witt | Mr. Lefevre | Mr. Skidmore | |

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Mr. Barker | Mr. Heermance | Mr. M'Neil | Mr. Schuyler |
| Mr. Bill | Mr. Hoag | Mr. Oftrom | Mr. John M. Smith |
| Mr. Cummings | Mr. Landon | Mr. Reynolds | Mr. Philip Smith |
| Mr. German | | | |

Mr. Prevoſt reported further progreſs, and obtained leave to ſit again.

The Hon. the Senate returned by Mr. Phelps and Mr. Ruſſell, the bill entitled "An act for the inſpection of flour and meal."

*Ordered*, That Mr. Micheau and Mr. Moore, deliver the bill to the Hon. the Council of Reviſion.

A copy of a reſolution of the Hon. the Senate, delivered by Mr. Phelps and Mr. Ruſſell was read, and is in the words following, viz.

*Reſolved*, (if the Hon. the Aſſembly concur herein) That the concurrent reſolutions of the Senate and Aſſembly of the 21ſt and 22d inſt. reſpecting the purchaſes of lands in the Oneida, Onondaga and Cayuga reſervations be, and hereby are reconſidered; and further, reſolved, that the ſeveral aſſiſtant Attorney-General's who have commenced any ſuits againſt any of the ſaid purchaſers, on their mortgages to the people of this ſtate be, and hereby are directed, after obtaining final judgment thereon upon payment of coſts, to ſtay executions thereon until ſixty days after the commencement of the next ſeſſion of the Legiſlature; and the Comptroller is hereby directed not to cauſe any ſuits to be brought againſt any purchaſers of lands in either of the ſaid reſervations, upon any of their mortgages, who have paid or ſhall pay on or before the 1ſt Tueſday in July next, one fourth part of the intereſt thereon, or who ſhall within ſix months thereafter pay one fourth part of the intereſt then to become due thereon, until ſixty days after the commencement of the next ſeſſion of the Legiſlature.

*Ordered*, That the conſideration of the ſaid reſolution be poſtponed until to-morrow.

A meſſage from the Hon. the Council of Reviſion, tranſmitted to this Houſe by the Hon. the Senate, was read, that it does not appear improper to the council that the bill entitled "An act altering the times of holding the court of common pleas and general ſeſſions of the peace in certain counties therein mentioned, and relative to the circuit court in the county of Renſſelaer," ſhould become a law of this ſtate.

Mr. Weſtcott from the committee of the whole Houſe, on the bill entitled "An act concerning the court of probates," reported, that the committee had gone through the bill and agreed to the ſame without amendment; which he was directed to report to the Houſe, and he read the report in his place, and delivered the bill in at the table, where it was again read and agreed to by the Houſe, and the bill ordered to the third reading.

Mr. Prevoſt from the committee of the whole Houſe, on the bill entitled "An act to provide for the Indians reſiding at New-Stockbridge," reported, that after the ſaid bill had been read in the committee, the firſt enacting clauſe thereof was again read and is in the words following, viz.

Be it enacted by the people of the ſtate of New-York, repreſented in Senate and Aſſembly, That the ſum of be and hereby are appropriated for the purpoſe of erecting a Houſe of public worſhip for the uſe of the ſaid Indians, upon ſuch ſpot within New-Stockbridge as commiſſioners hereafter to be appointed ſhall deſignate for that purpoſe.

That the queſtion having been put whether the committee did agree to the ſaid clauſe, it was carried in the affirmative. That the yeas and nays were called for by Mr. Boyd, ſeconded by Mr. Root, and were as follows, viz.

*For the Affirmative.*

| | | | | |
|---|---|---|---|---|
| Mr. Abeel | Mr. Doty | Mr. M'Neil | Mr. A. Smith | |
| Mr. Adriance | Mr. Fairlie | Mr. Micheau | Mr. H. Smith | |
| Mr. Arcularius | Mr. Furman | Mr. Moore | Mr. John Smith | |
| Mr. Barker | Mr. German | Mr. E. Mott | Mr. John M. Smith | |
| Mr. Bill | Mr. Henry | Mr. Nexen | Mr. Snell | |
| Mr. Blake | Mr. Hogeboom | Mr. Oftrom | Mr. Speaker | |
| Mr. Boyd | Mr. Honeywell | Mr. Paine | Mr. Storm | |
| Mr. Bruyn | Mr. Hopkins | Mr. Pauling | Mr. Swartwout | |
| Mr. Burr | Mr. Johnfon | Mr. Peck | Mr. Teed | |
| Mr. Burt | Mr. Landon | Mr. Robins | Mr. Thomas | |
| Mr. Clift | Mr. C. Lanfingh | Mr. Savage | Mr. Van Benthuyfen | |
| Mr. Coe | Mr. J Lanfingh | Mr. Schun-man | Mr. Veeder | |
| Mr. Crocker | Mr. Lefevre | Mr. Schuyler | Mr. Waren | |
| Mr. Dewey | Mr. M'Intyre | Mr. Shurtleff | Mr. Weftcott | |
| Mr. De Wit | Mr. J. M'Kinftry | Mr. Skidmore | Mr. Wolfe | 61 |
| Mr. Dodge | | | | |

*For the Negative.*

| | | | | |
|---|---|---|---|---|
| Mr. Adams | Mr. Deitz | Mr. Heermance | Mr. Root | |
| Mr. Clark | Mr. Fort | Mr. W. Mott | Mr. Schermerhorn | |
| Mr. Comftock | Mr. Gates | Mr. Pearce | Mr. Tabor | |
| Mr. Corl | Mr. B. Gilbert | Mr. Reynolds | Mr. Voorhis | 18 |
| Mr. Cummings | Mr. Gray | | | |

Mr. Prevoft further reported, that the committee had gone through the bill, made amendments, filled up the blanks and agreed to the fame; which report he read in his place, and delivered the bill in at the table, where the fame was again read and agreed to by the Houfe.

*Ordered*, That the bill be engroffed.

Mr. Burr from the committee to whom was committed the bill entitled "An act for fupplying the city of New-York with pure and wholefome water," reported, that the committee had gone through the bill, made amendments, filled up the blanks and agreed to the fame; which report he read in his place, and delivered the bill in at the table, where the fame was again read and agreed to by the Houfe.

*Ordered*, That the bill be engroffed.

Then the Houfe adjourned until nine o'clock to-morrow morning.

THURSDAY, *nine o'clock, A. M. March 28th*, 1799.

The engroffed bill entitled "An act for fupplying the city of New-York with pure and wholefome water," was read the third time.

*Refolved*, That the bill do pafs.

The engroffed bill entitled "An act providing for the Indians refiding at New Stockbridge," was read the third time.

*Refolved*, That the bill do pafs.

The engroffed bill entitled "An act to enable the Mayor, Recorder and Aldermen of the city of New-York to order the raifing money by tax for the maintenance of the poor, and for defraying the other expences arifing in the faid city and county of New-York," was read the third time.

*Refolved*, That the bill do pafs.

*Ordered*, That Mr. W. Mott and Mr. Nexen, deliver the three laft mentioned bills to the Hon. the Senate, and requeft their concurrence to the faid bills refpectively.

The bill entitled "An act concerning the court of probates," was read the third time.

*Refolved*, That the bill do pafs.

*Ordered*, That Mr. W. Mott and Mr. Nexen deliver the bill to the Hon. the Senate and inform them that this Houfe have paffed the bill, with the amendments therewith delivered.

The bill entitled "An act relative to the balance claimed by the United States to be due from the ftate of New-York," was read the fecond time and committed to a committee of the whole Houfe.

Mr. Swartwout purfuant to notice by him heretofore given for that purpofe, made a motion that the Houfe fhould reconfider the queftion on paffing the bill entitled "An act relative to bounty lands;" debates arofe on the faid motion, and the queftion having been put thereon, it paffed in the negative. The yeas and nays being called for by Mr. W. Mott, feconded by Mr. Hopkins, were as follows, viz.

*For the Negative.*

| | | | | |
|---|---|---|---|---|
| Mr. Abeel | Mr. De Witt | Mr. Lefevre | Mr. H. Smith | |
| Mr. Adriance | Mr. Doty | Mr. M'Intyre | Mr. John Smith | |
| Mr. Barker | Mr. Floyd | Mr. C. M'Kinftry | Mr. John M. Smith | |
| Mr. Bill | Mr. Fort | Mr. Micheau | Mr. Philip Smith | |
| Mr. Bruyn | Mr. French | Mr. Moore | Mr. Storm | |
| Mr. Burt | Mr. Gates | Mr. W. Mott | Mr. Swart | |
| Mr. Clift | Mr. German | Mr. Paine | Mr. Tabor | |
| Mr. Coe | Mr. E. Gilbert | Mr. Pearce | Mr. Teed | |
| Mr. Comftock | Mr. Gray | Mr. Reynolds | Mr. S Ten Broeck | |
| Mr. Crocker | Mr. Henry | Mr. Root | Mr. Voorhis | |
| Mr. Cunnings | Mr. Hopkins | Mr. Savage | Mr. Waren | |
| Mr. Deitz | Mr. Landon | Mr. Schuyler | Mr. Weftcott | 40 |
| Mr. Dewey | | | | |

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Mr. Adams | Mr. Furman | Mr. M'Neil | Mr. Schuneman |
| Mr. Arcularius | Mr. B. Gilbert | Mr. E. Mott | Mr. Shurtleff |
| Mr. Baldwin | Mr. Heermance | Mr. Nexen | Mr. A. Smith |
| Mr. Blake | Mr. Hogeboom | Mr. Oftrom | Mr. Snell |
| Mr. Boyd | Mr. Hunt | Mr. Pauling | Mr. Swartwout |
| Mr. Burr | Mr. Johnfon | Mr. Peck | Mr. Thomas |
| Mr. Clark | Mr. King | Mr. Philips | Mr. Van Renffelaer |
| Mr. Corl | Mr. C. Lanfingh | Mr. Robins | Mr. Veeder |
| Mr. Dodge | Mr. J. M'Kinftry | Mr. Schermerhorn | Mr. Wolfe |
| Mr. Fairlie | | | 37 |

A meffage from the Hon. the Council of Revifion, delivered by the Hon. Mr. Juftice Benfon was read, that it does not appear improper to the council, that the bill entitled "An act to amend an act entitled "An act for regulating elections," the bill entitled "An act to veft certain powers in the freeholders and inhabitants of the village of Poughkeepfie," and the bill entitled "An act for the fale of lands to John G. Houfe, Ifaac Rapalja and Samuel Bear," fhould refpectively become laws of this ftate.

The Houfe proceeded to the confideration of the refolution of the Hon. the Senate as entered on the journal of this Houfe yefterday, relative to refcinding the joint refolution of the 21ft and 22d inft. refpecting the purchafers of lands in the Oneida, Onondaga and Cayuga refervations.

A motion was made that this Houfe concur with the Hon. the Senate in their faid refolution, and it was carried in the affirmative. The yeas and nays being called for by Mr. Gray, feconded by Mr. John M. Smith, were as follows, viz.

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Mr. Adriance | Mr. Floyd | Mr. King | Mr. Savage |
| Mr. Arcularius | Mr. Fort | Mr. Landon | Mr. Skidmore |
| Mr. Barker | Mr. French | Mr. M'Neil | Mr. A. Smith |
| Mr. Bill | Mr. Gates | Mr. Micheau | Mr. H. Smith |
| Mr. Blake | Mr. German | Mr. Moore | Mr. John Smith |
| Mr. Boyd | Mr. B. Gilbert | Mr. W. Mott | Mr. John M. Smith |
| Mr. Burt | Mr. E. Gilbert | Mr. Paine | Mr. Philip Smith |
| Mr. Campbell | Mr. Gray | Mr. Pearce | Mr. Tabor |
| Mr. Clark | Mr. Heermance | Mr. Peck | Mr. Teed |
| Mr. Clift | Mr. Hoag | Mr. Philips | Mr. Thomas |
| Mr. Coe | Mr. Hopkins | Mr. Reynolds | Mr. Voorhis |
| Mr. Crocker | Mr. Hunt | Mr. Root | Mr. Weltcott 49 |
| Mr. Cummings | | | |

*For the Negative.*

| | | | |
|---|---|---|---|
| Mr. Abeel | Mr. Fairlie | Mr. E. Mott | Mr. Snell |
| Mr. Adams | Mr. Furman | Mr. Nexen | Mr. Stolin |
| Mr. Baldwin | Mr. Henry | Mr. Oftrom | Mr. Swart |
| Mr. Bruyn | Mr. Hogeboom | Mr. Pauling | Mr. Swartwout |
| Mr. Burr | Mr. Honeywell | Mr. Prevoft | Mr. S. Ten Broeck |
| Mr. Corl | Mr. Johnfon | Mr. Robins | Mr. Van Benthuyfen |
| Mr. Deitz | Mr. C. Lanfingh | Mr. Schermerhorn | Mr. Veeder |
| Mr. De Witt | Mr. Lefevre | Mr. Schuneman | Mr. Waren |
| Mr. Dodge | Mr. M'Intyre | Mr. Schuyler | Mr. Wolfe 39 |
| Mr. Doty | Mr. J. M'Kinftry | Mr. Shurtleff | |

Thereupon *Refolved*, That this Houfe do concur with the Hon. the Senate in their faid refolution.

*Ordered*, That Mr. W. Mott and Mr. Nexen, deliver a copy of the preceding refolution to the Hon. the Senate.

Five feveral meffages from the Hon. the Senate, delivered by Mr. Sanger and Mr. Savage, with the bills therein mentioned were read, that the Senate have paffed the bill entitled "An act for the relief of William Cockburn, Alexander M'Nifh and others," the bill entitled "An act for the relief of John Livingfton and Edward Livingfton," the bill entitled "An act for the gradual abolition of flavery," the bill entitled "An act for the relief of John Lanfing, jun." and the bill entitled "An act to amend the act entitled "An act to organize the militia of this ftate," feverally with the amendments therewith delivered.

The Houfe proceeded to the confideration of the amendments of the Hon. the Senate to the bill entitled "An act to amend the act entitled "An act to organize the militia of this ftate." The bill with the amendments were read; one of the amend-

ments is to alter the title, the altered title is "An act further to amend the laws relative to the militia of this ſtate," and the amendments having been read a ſecond time, were ſeverally concurred in by the Houſe, and the bill ordered to be amended accordingly.

*Ordered*, That Mr. Oſtrom and Mr. Paine, deliver the ſaid bill to the Hon. the Senate, and inform them that this Houſe have concurred in their amendments to the bill, and have amended the ſame accordingly.

The Houſe proceeded to the conſideration of the amendments of the Hon. the Senate to the bill entitled "An act for the gradual abolition of ſlavery." The bill and amendments were read, and the amendments having been read a ſecond time, were ſeverally concurred in by the Houſe, and the bill ordered to be amended accordingly.

*Ordered*, That Mr. Oſtrom and Mr. Paine deliver the bill to the Hon. the Senate and inform them that this Houſe have concurred in their amendments to the bill, and have amended it accordingly.

The Houſe proceeded to the conſideration of the amendments of the Hon. the Senate to the bill entitled "An act for the relief of John Livingſton and Edward Livingſton." The bill and amendments were read; one of the amendments is to alter the title; the altered title is "An act to enlarge the powers of the commiſſioners of the land-office," and the amendments having been read a ſecond time, were ſeverally concurred in by the Houſe, and the bill ordered to be amended accordingly.

*Ordered*, That Mr. Oſtrom and Mr. Paine deliver the bill to the Hon. the Senate and inform them that this Houſe have concurred in their amendments to the bill, and have amended the ſame accordingly.

The Houſe proceeded to the conſideration of the amendments of the Hon. the Senate to the bill entitled "An act for the relief of William Cockburn, Alexander M'Niſh and others." The bill and amendments were read, and the amendments having been read a ſecond time, were concurred in by the Houſe, and the bill ordered to be amended accordingly.

*Ordered*, That Mr. Oſtrom and Mr. Paine deliver the bill to the Hon. the Senate and inform them that this Houſe have concurred in their amendments to the bill, and have amended the ſame accordingly.

*Ordered*, That the conſideration of the amendments of the Hon. the Senate to the bill entitled "An act for the relief of John Lanſing, jun. be poſtponed until to-morrow.

A meſſage from the Hon. the Senate, delivered by Mr. Sanger and Mr. Savage, with the bill and a copy of the reſolution therein mentioned, was read, that the Senate do not concur with this Houſe in their amendment to the bill entitled "An act to regulate the ſalting, repacking and inſpection of beef and pork for exportation." The bill and amendment were read and conſidered, and a motion was made that this Houſe do recede from their ſaid amendment. Mr. Speaker put the queſtion, whether the Houſe did agree thereto, and it was carried in the affirmative. The yeas and nays were called for by Mr. Hopkins, ſeconded by Mr. Clift, and were as follows, viz.

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Mr. Adriance | Mr. Floyd | Mr. C. Lanſingh | Mr. Robins |
| Mr. Arcularius | Mr. Furman | Mr. M'Intyre | Mr. Schermerhorn |
| Mr. Baldwin | Mr. German | Mr. M'Neil | Mr. Shurtleff |
| Mr. Bill | Mr. B. Gilbert | Mr. Micheau | Mr. Skidmore |
| Mr. Boyd | Mr. Heermance | Mr. W. Mott | Mr. John Smith |
| Mr. Burr | Mr. Henry | Mr. Nexen | Mr. John M. Smith |
| Mr. Burt | Mr. Hoag | Mr. Oſtrom | Mr. Storm |
| Mr. Coe | Mr. Honeywell | Mr. Paine | Mr. Swartwout |
| Mr. Corl | Mr. Hunt | Mr. Pauling | Mr. Tabor |
| Mr. Dodge | Mr. Johnſon | Mr. Philips | Mr. Voorhis |
| Mr. Doty | Mr. King | Mr. Prevoſt | Mr. Weſtcott |
| Mr. Fairlie | Mr. Landon | Mr. Reynolds | Mr. Wolfe 48 |

*For the Negative.*

| | | | |
|---|---|---|---|
| Mr. Abeel | Mr. Dewey | Mr. C. M'Kinſtry | Mr. H. Smith |
| Mr. Adams | Mr. De Witt | Mr. E. Mott | Mr. Philip Smith |
| Mr. Barker | Mr. Fort | Mr. Pearce | Mr. Snell |
| Mr. Blake | Mr. Gates | Mr. Peck | Mr. Swart |
| Mr. Bruyn | Mr. E. Gilbert | Mr. Root | Mr. Teed |
| Mr. Clark | Mr. Gray | Mr. Savage | Mr. S. Ten Broeck |
| Mr. Clift | Mr. Hogeboom | Mr. Schuneman | Mr. Thomas |
| Mr. Comſtock | Mr. Hopkins | Mr. Schuyler | Mr. Veeder |
| Mr. Crocker | Mr. Lefevre | Mr. A. Smith | Mr. Waren |
| Mr. Deitz | | | |

Thereupon, *Reſolved*, That this Houſe do recede from their amendment not con concurred in by the Hon. the Senate.

*Ordered*, That Mr. Oſtrom and Mr. Paine deliver the bill and a copy of the pre ceding reſolution to the Hon. the Senate.

A meſſage from the Hon. the Senate, alſo delivered by Mr. Sanger and Mr. Sa age, with the bill therein mentioned, was read, that the Senate have paſſed the bi entitled "An act ſupplementary to the act entitled "An act regulating the liberti of gaols," to which they requeſt the concurrence of this Houſe. The ſaid bill wa read the firſt time, and by unanimous conſent was alſo read a ſecond time and com mitted to a committee of the whole Houſe.

Two ſeveral meſſages from the Hon. the Senate, alſo delivered by Mr. Sanger an Mr. Savage, with the bills therein reſpectively mentioned, were read, that the Sena have concurred in the amendments of this Houſe to the bill entitled "An act t eſtabliſh a turnpike corporation for improving the road from the city of Hudſon t the line of Maſſachuſetts, on the road to Hartford," and alſo in the amendments o this Houſe to the bill entitled "An act for continuing in force an act entitled "A act repealing an act entitled "An act for granting and ſecuring to John Fitch th ſole right and advantage of making and employing the ſteam-boat by him late invented, and for other purpoſes."

*Ordered*, That Mr. Nexen and Mr. Oſtrom return the bills to the Hon. the Sena

*Reſolved*, (if the Hon. the Senate concur herein) That the Secretary of this ſta be, and he is hereby directed forthwith to cauſe one thouſand copies of the act e titled "An act to amend an act entitled "An act for regulating elections," to b printed, to the end that they may be diſtributed among the towns in the reſpecti counties in this ſtate.

*Ordered*, That Mr. E. Mott and Mr. W. Mott deliver a copy of the preceding reſolution to the Hon. the Senate.

Mr. Prevoſt from the committee of the whole Houſe on the bill entitled "An a for the ſupport of government," reported, that in proceeding in the ſaid bill a mo tion was made that the ſame be rejected; that debates were had, and the queſtion ha ing been put thereon, it paſſed in the negative; that the yeas and nays were call for by Mr. Hoag, ſeconded by Mr. Fairlie, and were as follows, viz.

*For the Negative.*

| | | | |
|---|---|---|---|
| Mr. Abeel | Mr. Dewey | Mr. M'Intyre | Mr. H. Smith |
| Mr. Adams | Mr. De Witt | Mr. Micheau | Mr. John Smith |
| Mr. Adriance | Mr. Dodge | Mr. Moore | Mr. Snell |
| Mr. Arcularius | Mr. Fairlie | Mr. E. Mott | Mr. Storm |
| Mr. Baldwin | Mr. Floyd | Mr. W. Mott | Mr. Swart |
| Mr. Blake | Mr. Furman | Mr. Nexen | Mr. Swartwout |
| Mr. Boyd | Mr. E. Gilbert | Mr. Pearce | Mr. Tabor |
| Mr. Bruyn | Mr. Gray | Mr. Peck | Mr. S. Ten Broeck |
| Mr. Burr | Mr. Hogeboom | Mr. Robins | Mr. Thomas |
| Mr. Burt | Mr. Honeywell | Mr. Root | Mr. Van Benthuyſen |
| Mr. Clark | Mr. Hopkins | Mr. Savage | Mr. Veeder |
| Mr. Coe | Mr. Hunt | Mr. Schermerhorn | Mr. Waren |
| Mr. Comſtock | Mr. Johnſon | Mr. Schuneman | Mr. Weſtcott |
| Mr. Corl | Mr. Landon | Mr. Skidmore | Mr. Wolfe |
| Mr. Crocke | Mr. Lefevre | Mr. A. Smith | |

*For the Affirmative.*

| | | | | |
|---|---|---|---|---|
| Mr. Barker | Mr. German | Mr. J. Lanſingh | Mr. Schuyler | |
| Mr. Bill | Mr. B. Gilbert | Mr. M'Neil | Mr. Shurtleff | |
| Mr. Campbell | Mr. Heermance | Mr. Oſtrom | Mr. John M. Smith | |
| Mr. Clift | Mr. Henry | Mr. Paine | Mr. Philip Smith | |
| Mr. Deitz | Mr. King | Mr. Pauling | Mr. Speaker | |
| Mr. Fort | Mr. C. Lanſingh | Mr. Philips | Mr. Voorhis | 27 |
| Mr. French | Mr. C. M'Kinſtry | Mr. Reynolds | | |

That Mr. Reynolds made a motion for a clauſe to be added to the ſaid bill in the words following, viz.

And be it further enacted, That a tax of upon each dollar of the valuation of the real and perſonal eſtates within this ſtate, ſhall be raiſed, levied and collected in the preſent year, in the manner directed by the act entitled "An act for the aſſeſſment and collection of taxes."

That the queſtion having been put whether the committee did agree to the motion of Mr. Reynolds, it paſſed in the negative. That the yeas and nays were called for by Mr. Weſtcott, ſeconded by Mr. W. Mott, and were as follows, viz.

*For the Negative.*

| | | | | |
|---|---|---|---|---|
| Mr. Abeel | Mr. Dodge | Mr. W. Mott | Mr. Swart | |
| Mr. Adams | Mr. Fairlie | Mr. Nexen | Mr. Swartwout | |
| Mr. Adriance | Mr. Floyd | Mr. Robins | Mr. Tabor | |
| Mr. Arcularius | Mr. Fort | Mr. Root | Mr. Teed | |
| Mr. Barker | Mr. E. Gilbert | Mr. Savage | Mr. S. Ten Broeck | |
| Mr. Blake | Mr. Hogeboom | Mr. Schermerhorn | Mr. Thomas | |
| Mr. Boyd | Mr. Honeywell | Mr. Schuneman | Mr. Van Benthuyſen | |
| Mr. Bruyn | Mr. Hunt | Mr. Skidmore | Mr. Veeder | |
| Mr. Burr | Mr. Johnſon | Mr. A. Smith | Mr. Voorhis | |
| Mr. Burt | Mr. Landon | Mr. H. Smith | Mr. Waren | |
| Mr. Comſtock | Mr. Lefevre | Mr. John Smith | Mr. Weſtcott | |
| Mr. Corl | Mr. M'Intyre | Mr. Snell | Mr. Wolfe | 51 |
| Mr. De Witt | Mr. E. Mott | Mr. Storm | | |

*For the Affirmative.*

| | | | | |
|---|---|---|---|---|
| Mr. Barker | Mr. Doty | Mr. Hopkins | Mr. Peck | |
| Mr. Bill | Mr. French | Mr. C. Lanſingh | Mr. Philips | |
| Mr. Campbell | Mr. Furman | Mr. C. M'Kinſtry | Mr. Reynolds | |
| Mr. Clift | Mr. German | Mr. J. M'Kinſtry | Mr. Schuyler | |
| Mr. Coe | Mr. B. Gilbert | Mr. M'Neil | Mr. Shurtleff | |
| Mr. Crocker | Mr. Gray | Mr. Micheau | Mr. John M. Smith | |
| Mr. Cummings | Mr. Heermance | Mr. Oſtrom | Mr. Philip Smith | |
| Mr. Deitz | Mr. Henry | Mr. Paine | Mr. Speaker | 35 |
| Mr. Dewey | Mr. Hoag | Mr. Pearce | | |

That Mr. Hopkins made a motion for a clauſe to be added to the ſaid bill in the words following, viz.

And be it further enacted, That out of the firſt monies that ſhall be paid into the treaſury on account of the ſale of ſuch ſtock, the ſum of ſhall be and the ſame is hereby appropriated to the payment of the ſums that may be due to the ſeveral counties of this ſtate, agreeable to the act for the encouragment of ſchools; and the Treaſurer of this ſtate is hereby directed to pay the ſame on the warrants drawn on the treaſury by the Comptroller, in favor of the reſpective county treaſurers, in the ſame manner as is directed in and by the ſaid act.

That the queſtion having been put whether the committee did agree to the motion of Mr. Hopkins, it paſſed in the negative. That the yeas and nays were called for by Mr. Hopkins, ſeconded by Mr. Clift, and were as follows, viz.

*For the Negative.*

| | | | | |
|---|---|---|---|---|
| Mr. Abeel | Mr. De Witt | Mr. Lefevre | Mr. Skidmore | |
| Mr. Adams | Mr. Dodge | Mr. C. M'Kinſtry | Mr. A. Smith | |
| Mr. Arcularius | Mr. Fairlie | Mr. Micheau | Mr. John Smith | |
| Mr. Baldwin | Mr. Floyd | Mr. Moore | Mr. Storm | |
| Mr. Blake | Mr. Fort | Mr. E. Mott | Mr. Swart | |
| Mr. Boyd | Mr. Furman | Mr. W. Mott | Mr Swartwout | |
| Mr. Bruyn | Mr. B. Gilbert | Mr. Nexen | Mr. Teed | |
| Mr. Burr | Mr. E. Gilbert | Mr. Philips | Mr, Van Benthuyſen | |
| Mr. Burt | Mr. Hogeboom | Mr. Reynolds | Mr. Voorhis | |
| Mr. Clark | Mr. Hunt | Mr. Robins | Mr. Weſtcott | |
| Mr. Coe | Mr. Johnſon | Mr. Schermerhorn | Mr. Wolfe | 47 |
| Mr. Corl | Mr. Landon | Mr. Schuneman | | |

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Mr. Adriance | Mr. French | Mr. J. M'Kinſtry | Mr. H. Smith |
| Mr. Barker | Mr. German | Mr. M'Neil | Mr. John M. Smith |
| Mr. Bill | Mr. Gray | Mr. Oſtrom | Mr. Philip Smith |
| Mr. Campbell | Mr. Heermance | Mr. Paine | Mr. Snell |
| Mr. Clift | Mr. Henry | Mr. Pauling | Mr. Speaker |
| Mr. Comſtock | Mr. Hoag | Mr. Pearce | Mr. Tabor |
| Mr. Crocker | Mr. Honeywell | Mr. Peck | Mr. S. Ten Broeck |
| Mr. Cummings | Mr. Hopkins | Mr. Root | Mr. Thomas |
| Mr. Deitz | Mr. King | Mr. Schuyler | Mr. Veeder |
| Mr. Dewey | Mr. C. Lanſingh | Mr. Shurtleff | Mr. Waren |
| Mr. Doty | Mr. M'Intyre | | |

Mr. Prevoſt further reported, that the committee had gone through the bill, filled up the blanks and agreed to the ſame; which report he read in his place, and delivered the bill in at the table, where it was again read and agreed to by the Houſe.

*Ordered*, That the bill be engroſſed.

A copy of a reſolution of the Hon. the Senate, delivered by Mr. Savage and Mr. Sands was read, that the Senate do concur with this Houſe in their reſolution of this day's date, relative to cauſing 1000 copies of the act entitled "An act to amend an act entitled "An act for regulating elections" to be printed, to the end, that they may be diſtributed among the towns in the reſpective counties in this ſtate.

A meſſage from the Hon. the Council of Reviſion, tranſmitted to this Houſe by the Hon. the Senate was read, that it does not appear improper to the council, that the bill entitled "An act altering the times of holding the courts of common pleas and general ſeſſions of the peace in certain counties therein mentioned, and relative to the circuit court in the county of Renſſelaer," ſhould become a law of this ſtate.

The engroſſed bill entitled "An act for the ſupport of government," was read the third time by unanimous conſent.

*Reſolved*, That the bill do paſs.

*Ordered*, That Mr. Nexen and Mr. Oſtrom, deliver the bill to the Hon. Senate, and requeſt their concurrence.

A meſſage from the Hon. the Senate, delivered by Mr. J. Schenck and Mr. Silveſter, with the bill therein mentioned was read, that the Senate have paſſed the bill entitled "An act to eſtabliſh a turnpike corporation for improving the road from the ſprings in Lebanon to the city of Albany," with the amendments therewith delivered. The bill and amendments were read; one of the amendments is to alter the title, the altered title is "And a like corporation for improving the road from the village of Bath to Williamſtown, and to repeal the act therein mentioned," and the amendments having been read a ſecond time, were ſeverally concurred in by this Houſe, except the firſt amendment: Thereupon,

*Reſolved*, That this Houſe do not concur with the Hon. the Senate in their firſt amendment to the ſaid bill, and do concur in the other amendments.

*Ordered*, That Mr. Oſtrom and Mr. Paine, deliver the bill, amendments and a copy of the preceding reſolution to the Hon. the Senate.

Mr. Savage from the committee to whom was referred the petition of David Thomas, reported in favor of the petitioner, and obtained leave to bring in a bill entitled "An act for the relief of David Thomas," which was read the firſt time, and by unanimous conſent was alſo read the ſecond time, and committed to a committee of the whole Houſe.

Then the Houſe adjourned until nine o'clock to-morrow morning.

FRIDAY, *nine o'clock, A. M. March 29th*, 1799.

The Houſe reſolved itſelf into a committee of the whole Houſe on the bill entitled "An act ſupplementary to the act entitled "An act regulating the liberties of gaols," and after ſome time ſpent thereon, Mr. Speaker reſumed the chair, and Mr. Furman from the ſaid committee reported, that the committee had gone through the bill and agreed to the ſame without amendment; which report he read in his place, and delivered the bill in at the table, where it was again read and agreed to by the Houſe.

By unanimous conſent the ſaid bill was read the third time.

*Reſolved*, That the bill do paſs.

*Ordered*, That Mr. Oſtrom and Mr. Paine, deliver the bill to the Hon. the Senate, and inform them that this Houſe have paſſed the bill without amendment.

*Ordered*, That the further conſideration of the bill entitled "An act to amend the act to incorporate ſuch perſons as may aſſociate for the purpoſe of procuring and erecting public libraries within this ſtate," be poſtponed until the next ſeſſion of the Legiſlature.

Mr. Bill from the committee of the whole Houſe, on the bill entitled "An act relative to the putting up pickled fiſh, and to prevent the ſetting of nets in certain parts of the Hudſon river and for other purpoſes," reported, that in proceeding in the ſaid bill, and after the ſame had been read in the committee, Mr. Swartwout made a motion that the committee ſhould agree to expunge the four laſt clauſes of the bill which were again read, and are in the words following, viz.

And be it further enacted, That in caſe any pickled fiſh ſhall be offered for ſale in caſks at any other place than where the ſame are firſt put up; or in caſe pickled fiſh ſhall be exported out of this ſtate, without being branded and marked as is herein provided; or in caſe any pickled fiſh ſhall, after the firſt day of September next, be put up in caſks of leſs ſize and with fewer hoops than is herein before provided; then and in either of ſuch caſes, every perſon offending therein, ſhall for each and every offence forfeit five dollars, to be recovered by action of debt before any juſtice of the peace with coſts of ſuit, by any perſon who will ſue and proſecute for the ſame; and in which ſuits there ſhall be no ſtay of execution.

And be it further enacted, That from and after the paſſing of this act, it ſhall not be lawful for any perſon or perſons, to ſet or fix any net or ſeine in the channel of the Hudſon river; or further upon the flatts in the ſaid river, than ten rods from low water mark from either of the ſhores in the ſaid river; which ſet nets or ſeines fixed hereafter or ſet in the ſaid river, are hereby declared to be public and common nuiſances; and further, that it ſhall be lawful for any perſon or perſons to deſtroy ſuch nets ſo to be ſet or fixed in the ſaid river, by whatever name the ſame may be called, contrary to the foregoing proviſion; and alſo, pull up, deſtroy and take away any poles, ſtakes or other appendages to ſuch nets.

And be it further enacted, That it ſhall not hereafter be lawful for any perſon or perſons to ſet, caſt or draw any net or ſeine in the ſaid river, between the ſetting of the ſun on every Saturday and the riſing of the ſame on the Monday next following, on pain that every perſon who ſhall offend in the premiſes, ſhall for each and every offence, forfeit and pay to any one who will ſue and proſecute for the ſame, twenty-five dollars, to be recovered by action of debt, together with coſts of ſuit, in manner aforeſaid.

And be it further enacted, That any perſon or perſons who ſhall or may after the paſſing of this act, ſet or fix any net or ſeine in the ſaid Hudſon's river, contrary to the proviſions in this act, ſuch perſon or perſons, and the owner of every ſuch net, ſhall ſeverally forfeit and pay for each and every ſuch offence, twenty-five dollars, to be recovered in the manner aforeſaid, with coſts of ſuit.

That debates were had, and the queſtion having been put thereon, it was carried in the affirmative; that the yeas and nays were called for by Mr. S. Ten Broeck, ſeconded by Mr. Van Bentuhyſen, and were as follows, viz.

*For the Affirmative.*

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|---|---|---|---|---|
| Mr. Adams | Mr. Cummings | Mr. Moore | Mr. John Smith | |
| Mr. Adriance | Mr. Dodge | Mr. E. Mott | Mr. John M. Smith | |
| Mr. Baldwin | Mr. Fairlie | Mr. W. Mott | Mr. Swart | |
| Mr. Blake | Mr. Floyd | Mr. Oſtrom | Mr. Swartwout | |
| Mr. Boyd | Mr. Furman | Mr. Paine | Mr. Tabor | |
| Mr. Bruyn | Mr. German | Mr. Pauling | Mr. Teed | |
| Mr. Burr | Mr. Honeywell | Mr. Pearce | Mr. Van Renſſelaer | |
| Mr. Burt | Mr. Hunt | Mr. Philips | Mr. Veeder | |
| Mr. Clark | Mr. Johnſon | Mr. Robins | Mr. Voorhis | |
| Mr. Clift | Mr. Landon | Mr. Skidmore | Mr. Waren | |
| Mr. Coe | Mr. M'Intyre | Mr. A. Smith | Mr. Weſtcott | |
| Mr. Comſtock | Mr. M'Neil | Mr. H. Smith | Mr. Wolfe | 50 |
| Mr. Corl | Mr. Micheau | | | |

*For the Negative.*

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|---|---|---|---|---|
| Mr. Abeel | Mr. Hoag | Mr. Peck | Mr. Shurtleff | |
| Mr. Barker | Mr. Hogeboom | Mr. Prevoſt | Mr. Philip Smith | |
| Mr. Deitz | Mr. Hopkins | Mr. Reynolds | Mr. Snell | |
| Mr. De Witt | Mr. C. Lanſingh | Mr. Root | Mr. Speaker | |
| Mr. Fort | Mr. Lefevre | Mr. Savage | Mr. Storm | |
| Mr. French | Mr. C. M'Kinſtry | Mr. Schermerhorn | Mr. S. Ten Broeck | |
| Mr. Gates | Mr. J. M'Kinſtry | Mr. Schuyler | Mr. Thomas | 33 |
| Mr. Heermance | Mr. Oſtrom | | | |

Mr. Bill alſo reported that the committee had made further progreſs, and that he was directed to aſk for leave to ſit again, which report he read in his place, and delivered the ſame in at the table, where it was again read, and on the queſtion being put whether the committee ſhould have leave to ſit again, it paſſed in the negative.

Three ſeveral meſſages from the Hon. the Senate, delivered by Mr. Silveſter and Mr. Spencer, with the bills therein reſpectively mentioned, were read, that the Senate have paſſed the bill entitled "An act to amend an act entitled "An act to extend to the city of Albany, an act entitled "An act for regulating the buildings, ſtreets, wharves and ſlips in the city of New-York," the bill entitled "An act authorizing the Governor whenever in caſes of public calamity the ſame ſhall become neceſſary to appoint occaſionally, places for holding any of the courts within this ſtate, different from the place where they ſhall be to be held by law, and for other purpoſes," and the bill entitled "An act to amend the act entitled "An act for the relief of debtors with reſpect to the impriſonment of their perſons," and requeſting the concurrence of this Houſe to the ſaid bills reſpectively.

The ſaid bills were ſeverally read the firſt time, and by unanimous conſent were alſo read a ſecond time, and committed to a committee of the whole Houſe.

A meſſage from the Hon. the Senate, alſo delivered by Mr. Silveſter and Mr. Spencer, with the bill and amendments therein mentioned were read, that the Senate have paſſed the bill entitled "An act to aſcertain the boundaries of the lands reſerved to the St. Regis Indians," with the amendments therewith delivered. The bill and amendments were read, and the amendments having been read a ſecond time, were ſeverally concurred in by the Houſe, and the bill ordered to be amended accordingly.

*Ordered*, That Mr. Pauling and Mr. Pearce, deliver the bill to the Hon. the Senate, and inform them that this Houſe have concurred in their amendments to the bill, and have amended the ſame accordingly.

A meſſage from the Hon. the Senate, alſo delivered by Mr. Silveſter and Mr. Spencer, with the bill, amendment and a copy of the reſolution therein mentioned was read, that the Senate adhere to their amendment to the bill entitled "An act to eſtabliſh a turnpike corporation for improving the road from the ſprings in Lebanon, to the city of Albany," not concurred in by this Houſe.

*Ordered* That the conſideration of the ſaid amendment be poſtponed until to-morrow.

The Hon. the Senate returned by Mr. Tappen and Mr. Ten Eyck, the bill entitled "An act to enlarge the powers of the commiſſioners of the land-office," and the bill entitled "An act further to amend the law for regulating the militia of this ſtate."

*Ordered*, That Mr. Pearce and Mr. Peck, deliver the ſaid bills to the Hon. the Council of Reviſion.

A copy of a reſolution of the Hon. the Senate, delivered by Mr. Tappen and Mr. Ten Eyck, was read, and is in the words following, viz.

*Reſolved*, (if the Hon. the Aſſembly concur herein,) That the Comptrollerbe and he is hereby directed, in all caſes of ſuits hereafter to be commenced in behalf of the people of this ſtate, on ſeveral mortgages or other contracts executed by the ſame perſon or perſons, to require that only one ſuit ſhall be inſtituted on ſuch mortgages or contracts.

*Reſolved*, That this Houſe do concur with the Hon. the Senate in their ſaid preceding reſolution.

*Ordered*, That Mr. Pearce and Peck deliver a copy of the preceding reſolution of concurrence to the Hon. the Senate.

*Ordered*, That the committee of the whole Houſe be diſcharged from the further conſideration of the bill entitled "An act for the relief of David Thomas," and that the ſame be committed to Mr. Savage, Mr. Fairlie and Mr. Gates.

The bill entitled "An act relative to eſcheats and forfeitures," with the engroſſed amendments was read the third time, and recommitted to a committee of the whole Houſe.

*Ordered*, That the committee of the whole Houſe be diſcharged from the further conſideration of the bill entitled "An act to extend to the city of Albany, the act entitled "An act for regulating the buildings, ſtreets, wharves and ſlips in the city

of New-York," and that the ſame be committed to Mr. J. Lanſingh, Mr. Shurtleff Mr. Schuyler.

Mr. Weſtcott from the committee of the whole Houſe, on the bill entitled "An act relative to eſcheats and forfeitures," reported, that the committee had gone thro' the bill, made amendments and agreed to the ſame; which he was directed to report to the Houſe, and he read the report in his place, and delivered the bill with the amendments in at the table, where they were again read and agreed to by the Houſe.

*Ordered*, That the amendments be engroſſed.

Mr. J. Lanſingh from the committee to whom was committed the bill entitled "An act to amend an act entitled "An act for regulating the buildings, ſtreets, wharves and ſlips in the city of New-York," reported, that the committee had gone through the bill and agreed to the ſame without amendment; which report he read in his place, and delivered the bill in at the table, where it was again read and agreed to by the Houſe, and the bill ordered a third reading to-morrow.

Mr. Savage from the committee to whom was committed the bill entitled "An act for the relief of David Thomas," reported, that the committee had gone through the bill and agreed to the ſame without amendment; which report he read in his place, and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

*Ordered*, That the bill be engroſſed.

*Ordered*, That Mr. Clift be added to the committee to whom was referred ſo much of the meſſage of his Excellency the Governor of the 18th of February laſt as relates to an arſenal to be erected in the city of Albany.

Mr. M'Neil from the committee of the whole Houſe on the bill entitled "An act for extending the time limited by the laſt ſection of the act entitled "An act to ſettle diſputes concerning the titles to lands in the county of Onondaga," reported, that in proceeding in the ſaid bill, and after the ſame had been read in the committee, the firſt enacting clauſe thereof was again read, and that the queſtion having been put whether the committee did agree to the ſaid clauſe, it was carried in the affirmative. That the yeas and nays were called for by Mr. Hopkins, ſeconded by Mr. Prevoſt, and were as follows, viz.

*For the Affirmative.*

| | | | | |
|---|---|---|---|---|
| Mr. Abeel | Mr. Doty | Mr. J. Lanſingh | Mr. Skidmore | |
| Mr. Adams | Mr. Fairlie | Mr. Lefevre | Mr. A. Smith | |
| Mr. Arcularius | Mr. Floyd | Mr. M'Intyre | Mr. John Smith | |
| Mr. Baldwin | Mr. Furman | Mr. Oſtrom | Mr. John M. Smith | |
| Mr. Barker | Mr. Gray | Mr. Paine | Mr. Philip Smith | |
| Mr. Bill | Mr. Heermance | Mr. Prevoſt | Mr. Speaker | |
| Mr. Boyd | Mr. Hoag | Mr. Robins | Mr. Storm | |
| Mr. Burr | Mr. Honeywell | Mr. Root | Mr. Swartwout | |
| Mr. Burt | Mr. Hunt | Mr. Schuneman | Mr. Voorhis | |
| Mr. Coe | Mr. Landon | Mr. Schuyler | Mr. Wolfe | 43 |
| Mr. Deitz | Mr. C. Lanſingh | Mr. Shurtleff | | |

*For the Negative.*

| | | | | |
|---|---|---|---|---|
| Mr. Blake | Mr. Dodge | Mr. Micheau | Mr. Schermerhorn | |
| Mr. Bruyn | Mr. Fort | Mr. Moore | Mr. H. Smith | |
| Mr. Campbell | Mr. Gates | Mr. E. Mott | Mr. Snell | |
| Mr. Clark | Mr. German | Mr. W. Mott | Mr. Tabor | |
| Mr. Clift | Mr. B. Gilbert | Mr. Pauling | Mr. Teed | |
| Mr. Comſtock | Mr. E. Gilbert | Mr. Pearce | Mr. Thomas | |
| Mr. Corl | Mr. Hogeboom | Mr. Peck | Mr. Veeder | |
| Mr. Crocker | Mr. Hopkins | Mr. Reynolds | Mr. Waren | |
| Mr. Cummings | Mr. C. M'Kinſtry | Mr. Savage | Mr. Weſtcott | 38 |
| Mr. Dewey | Mr. J. M'Kinſtry | | | |

Mr. M'Neil further reported, that the committee had gone through the bill and agreed to the ſame without amendment; which report he read in his place, and delivered the ſame in at the table, where it was again read and agreed to by the Houſe, and the bill ordered a third reading to-morrow.

The Hon. the Senate returned by Mr. Ten Eyck and Mr. Thompſon, the bill entitled "An act for the gradual abolition of ſlavery,"

*Ordered*, That Mr. Root and Mr. Savage, deliver the bill to the Hon. the Council of Reviſion.

Mr. Shurtleff from the committee of the whole Houſe, on the bill entitled "An act eſtabliſhing a commiſſary of military ſtores," reported, that after the ſaid bill had

been read in the committee, the ſecond enacting clauſe thereof was again read, an that the queſtion being put whether the committee did agree to the ſaid clauſe, was carried in the affirmative. That the yeas and nays were called for by M Swartwout, ſeconded by Mr. M'Kinſtry, and were as follows, viz.

*For the Negative.*

| | | | |
|---|---|---|---|
| Mr. Baldwin | Mr. Dewey | Mr. Landon | Mr. A. Smith |
| Mr. Barker | Mr. Doty | Mr. C. Lanſingh | Mr. H. Smith |
| Mr. Blake | Mr. Fort | Mr. W. Mott | Mr. John Smith |
| Mr. Burt | Mr. Gates | Mr. Paine | Mr. Philip Smith |
| Mr. Campbell | Mr. German | Mr. Pearce | Mr. Snell |
| Mr. Clark | Mr. B. Gilbert | Mr. Peck | Mr. Tabor |
| Mr. Clift | Mr. E. Gilbert | Mr. Reynolds | Mr. Thomas |
| Mr. Comſtock | Mr. Hogeboom | Mr. Root | Mr. Veeder |
| Mr. Deitz | Mr. Hopkins | Mr. Savage | Mr. Waren |

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Mr. Adams | Mr. French | Mr. M'Neil | Mr. John M. Smith |
| Mr. Arcularius | Mr. Furman | Mr. Micheau | Mr. Speaker |
| Mr. Bill | Mr. Gray | Mr. Moore | Mr. Storm |
| Mr. Boyd | Mr. Heermance | Mr. Nexen | Mr. Swartwout |
| Mr. Coe | Mr. Honeywell | Mr. Oſtrom | Mr. Teed |
| Mr. Crocker | Mr. Hunt | Mr. Prevoſt | Mr. S. Ten Broeck |
| Mr. Cummings | Mr. J. Lanſingh | Mr. Robins | Mr. Voorhis |
| Mr. Fairlie | Mr. C. M'Kinſtry | Mr. Schuyler | Mr. Wolfe |
| Mr. Floyd | Mr. J. M'Kinſtry | Mr. Skidmore | |

Mr. Shurtleff reported further progreſs, and obtained leave to ſit again.

A meſſage from the Hon. the Council of Reviſion, delivered by the Hon. the Chan cellor was read, that it does not appear improper to the council, that the bill enti tled "An act authorizing the Mayor, Aldermen and Commonalty of the city of Alba ny, to raiſe a ſum by tax for defraying the expence of lighting the lamps and fo the ſupport of a night watch in the ſaid city," the bill entitled "An act to authori the raiſing a further ſum of money for repairing the court houſe in the county o Herkimer," and the bill entitled "An act for the gradual abolition of ſlavery," ſhoul reſpectively become laws of this ſtate.

Mr. Hopkins from the committee of the whole Houſe, on the bill entitled "A act authorizing the Governor whenever in caſes of public calamity the ſame ſha become neceſſary, to appoint occaſionally, places for holding any of the court within this ſtate, different from the place where they ſhall be, to be held by law an for other purpoſes," reported progreſs, and obtained leave to ſit again.

Then the Houſe adjourned until nine o'clock to-morrow morning.

SATURDAY, *nine o'clock, A. M. March 30th*, 1799.

The engroſſed bill entitled "An act for the relief of David Thomas," was rea the third time.

*Reſolved*, That the bill do paſs.

*Ordered*, That Mr. Savage and Mr. Shurtleff deliver the bill to the Hon. the Sen ate and requeſt their concurrence.

The bill entitled "An act to amend an act entitled "An act to extend to the city of Albany" an act entitled "An act for regulating the buildings, ſtreets, wharve and ſlips in the city of New-York," was read the third time.

*Reſolved*, That the bill do paſs.

The bill entitled "An act for extending the time limited by the laſt ſection o the act entitled "An act to ſettle diſputes concerning the titles to land in the county of Onondoga," was read the third time.

*Reſolved*, That the bill do paſs.

*Ordered*, That Mr. Savage and Mr. Shurtleff deliver the two laſt mentioned bill to the Hon. the Senate, and inform them that this Houſe have paſſed the ſaid bill reſpectively without amendment.

The bill entitled "An act relative to eſcheats and forfeitures," with the engroſſed amendments, was read the third time.

*Reſolved*, That the bill do paſs.

*Ordered*, That Mr. Savage and Mr. Shurtleff deliver the ſaid bill to the Hon. the Senate, and inform them that this Houſe have paſſed the bill, with the amendments therewith delivered.

The Houſe proceeded to the conſideration of the amendments of the Hon. the Senate to the bill entitled "An act for the relief of John Lanſing, jun." The firſt

amendments was again read and concurred in by the Houſe; the other amendment was alſo again read, the ſame is to add the following clauſes to the bill, viz.

Whereas the Mayor, Recorder, Aldermen and Commonality of the city of Hudſon have, by their petition, repreſented to the Legiſlature, that in the management and regulation of the police of the ſaid city, many incidental and unavoidable expences accrue, for defraying of which they are not authorized by law to raiſe monies by tax, and have prayed that an act be paſſed by this Legiſlature, giving them authority to raiſe by tax for the ſaid objects a ſum not exceeding five hundred dollars in any one year, for the ſpace of three years: Therefore,

Be it enacted by the people of the ſtate of New-York, repreſented in Senate and Aſſembly, That the ſaid Mayor, Recorder, Aldermen and Commonalty of the ſaid city in common council convened, are hereby authorized to order the raiſing during the preſent year and annually thereafter for the ſpace of three years, for the purpoſes aforeſaid, a ſum not exceeding in any one year five hundred dollars, by a tax on the real and perſonal eſtates of the freeholders and inhabitants in the ſaid city of Hudſon, reſiding within the limits deſignated by the act entitled "An act for raiſing monies in the city of Hudſon for the ſupport of a night watch," and which ſaid monies ſhall be raiſed, aſſeſſed, collected and paid in the manner directed in and by the ſaid recited act.

And be it further enacted, That it ſhall be lawful for the ſuperviſors of the ſeveral towns in the county of Schoharie, and they are hereby authorized and required, to cauſe to be raiſed and levied on the freeholders and inhabitants of the ſaid county, a further ſum of two thouſand dollars for completing the court houſe and gaol in ſaid county, together with an additional ſum of four cents on each dollar for collecting the ſame, and one cent on each dollar for the Treaſurer's fees, to be levied and collected in the ſame manner as the other neceſſary and contingent charges of ſaid county are by law directed to be levied, collected and paid.

And be it further enacted, That one thouſand dollars of the ſaid ſum of two thouſand dollars ſhall be raiſed, collected and paid into the treaſury of the ſaid county, on or before the firſt Tueſday of December next, and the further ſum of one thouſand dollars on or before the firſt Tueſday of December, in the year one thouſand eight hundred, and the Treaſurer of ſaid county ſhall pay ſaid ſeveral ſums of money as ſoon as the ſame ſhall be by him received, to the order of the commiſſioners, appointed by law to ſuperintend the building of the court houſe and gaol in ſaid county.

And be it further enacted, That it ſhall be lawful for the Treaſurer of ſaid county, to retain in his hands the ſum of one cent on each dollar he ſhall ſo receive, as a compenſation to him for his trouble of receiving and paying over ſaid monies.

A motion was made that the Houſe concur with the Hon. the Senate in their ſaid amendments, and the queſtion having been put thereon, it paſſed in the negative. The yeas and nays being called for by Mr. Hopkins, ſeconded by Mr. Schermerhorn, were as follows, viz.

*For the Negative.*

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|---|---|---|---|
| Mr. Abeel | Mr. Crocker | Mr. W. Mott | Mr. John Smith |
| Mr. Adams | Mr. Floyd | Mr. Nexen | Mr. Snell |
| Mr. Arcularius | Mr. E. Gilbert | Mr. Oſtrom | Mr. Storm |
| Mr. Baldwin | Mr. Honeywell | Mr. Paine | Mr. Tabor |
| Mr. Blake | Mr. Hopkins | Mr. Pearce | Mr. Teed |
| Mr. Boyd | Mr. Hunt | Mr. Peck | Mr. S. Ten Broeck |
| Mr. Bruyn | Mr. Johnſon | Mr. Root | Mr. Van Benthuyſen |
| Mr. Burt | Mr. Landon | Mr. Schuneman | Mr. Veeder |
| Mr. Clark | Mr. M'Intyre | Mr. Skidmore | Mr. Waren |
| Mr. Coe | Mr. Moore | Mr. A. Smith | Mr. Weſtcott |
| Mr. Comſtock | Mr. E. Mott | Mr. H. Smith | Mr. Wolfe 45 |
| Mr. Corl | | | |

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Mr. Barker | Mr. Fort | Mr. J. Lanſingh | Mr. Robins |
| Mr. Bill | Mr. French | Mr. Lefevre | Mr. Savage |
| Mr. Burr | Mr. Furman | Mr. C. M'Kinſtry | Mr. Schermerhorn |
| Mr. Campbell | Mr. Gates | Mr. J. M'Kinſtry | Mr. Schuyler |
| Mr. Clift | Mr. German | Mr. M'Neil | Mr. John M. Smith |
| Mr. Cummings | Mr. B. Gilbert | Mr. Micheau | Mr. Philip Smith |
| Mr. Deitz | Mr. Gray | Mr. Pauling | Mr. Swart |
| Mr. Dewey | Mr. Heermance | Mr. Philips | Mr. Swartwout |
| Mr. De Witt | Mr. Hoag | Mr. Prevoſt | Mr. Thomas |
| Mr. Dodge | Mr. Hogeboom | Mr. Reynolds | Mr. Voorhis |
| Mr. Doty | Mr. C. Lanſingh | | |

Thereupon *Reſolved*, That this Houſe do concur with the Hon. the Senate in their firſt amendment to the bill, and do not concur in their other amendments.

*Ordered*, That Mr. Savage and Mr. Shurtleff, deliver the bill, amendments and a copy of the preceding reſolution to the Hon. the Senate.

The Houſe proceeded to the conſideration of the amendment of the Hon. the Senate, to the bill entitled "An act to eſtabliſh a turnpike corporation for improving the road from the ſprings in Lebanon, to the city of Albany," which was not concurred in by this Houſe, and adhered to on the part of the Hon. the Senate. By the ſaid amendment it is propoſed to expunge from the ſaid bill the name of "*Samuel Jones*,"

A motion was made that this Houſe do recede from their reſolution of non-concurrence in the ſaid amendment, and the queſtion having been put thereon, it paſſed in the negative. The yeas and nays were called for by Mr. Hogeboom, ſeconded by Mr. Schermehorn, and were as follows, viz.

*For the Negative.*

| | | | |
|---|---|---|---|
| Mr. Adams | Mr. Fairlie | Mr. Oſtrom | Mr. Swart |
| Mr. Arcularius | Mr. Floyd | Mr. Robins | Mr. Swartwout |
| Mr. Baldwin | Mr. German | Mr. Root | Mr. Tabor |
| Mr. Blake | Mr. E. Gilbert | Mr. Savage | Mr. S. Ten Broeck |
| Mr. Boyd | Mr. Hogeboom | Mr. Schuneman | Mr. Thomas |
| Mr. Bruyn | Mr. Honeywell | Mr. Skidmore | Mr. Van Benthuyſen |
| Mr. Burt | Mr. Hunt | Mr. A. Smith | Mr. Veeder |
| Mr. Clark | Mr. Johnſon | Mr. H. Smith | Mr. Waren |
| Mr. Coe | Mr. Landon | Mr. John Smith | Mr. Weſtcott |
| Mr. Comſtock | Mr. Moore | Mr. Snell | Mr. Wolfe |
| Mr. Corl | Mr. Nexen | Mr. Storm | |

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Mr. Barker | Mr. Doty | Mr. C. Lanſingh | Mr. Pauling |
| Mr. Bill | Mr. Fort | Mr. Lefevre | Mr. Pearce |
| Mr. Burr | Mr. French | Mr. M'Intyre | Mr. Philips |
| Mr. Campbell | Mr. Furman | Mr. C. M'Kinſtry | Mr. Reynolds |
| Mr. Clift | Mr. Gates | Mr. J. Lanſingh | Mr. Schermerhorn |
| Mr. Crocke | Mr. B. Gilbert | Mr. M'Neil | Mr. Schuyler |
| Mr. Cummings | Mr. Gray | Mr. Micheau | Mr. John M. Smith |
| Mr. Deitz | Mr. Heermance | Mr. E. Mott | Mr. Philip Smith |
| Mr. Dewey | Mr. Hoag | Mr. W. Mott | Mr. Teed |
| Mr. De Witt | Mr. Hopkins | Mr. Paine | Mr. Voorhis |
| Mr. Dodge | | | |

*Ordered*, That the bill be retained in this Houſe until Monday next.

Mr. Johnſon purſuant to notice by him for that purpoſe heretofore given, moved for and obtained leave to bring in a bill entitled "An act for the relief of heirs, deviſees and legal repreſentatives of the officers and ſoldiers of the army of the United States, who ſerved in the line of this ſtate," which was read the firſt time and ordered a ſecond reading.

*Ordered*, That the committee of the whole Houſe be diſcharged from the further conſideration of the bill entitled "An act relative to the bridge acroſs the Normanskill, near the city of Albany," and that the ſame be committed to a ſelect committee conſiſting of Mr. Heermance, Mr. Prevoſt and Mr. J. Lanſingh.

Mr. M'Intyre from the committee of the whole Houſe, on the bill entitled "An act to amend the act entitled "An act for the relief of debtors with reſpect to the impriſonment of their perſons," reported, that the committee had gone through the

bill, made amendments and agreed to the ſame; which report he read in his place, nd delivered the bill and amendments in at the table, where the ſame were again ead and agreed to by the Houſe.

*Ordered*, That the amendments be engroſſed.

A copy of a reſolution of the Hon. the Senate, delivered by Mr. Thompſon and Mr. Tillotſon was read, and is in the words following, viz.

*Reſolved*, (if the Hon. the Aſſembly concur herein,) That John M. Maſon, Matthew Duncan and Margaretta Maſon, have leave to preſent to either Houſe of the Legiſlature at their next meeting, a bill enabling them to complete the diſpoſal and confirm the diviſion of the lands belonging to the eſtate of the Rev. Doctor John Maſon, deceaſed, as ſtated in their petition to the Legiſlature, provided that the ſaid petitioners cauſe a copy of the ſaid petition and of this reſolution, to be previouſly publiſhed at leaſt ſix weeks ſucceſſively, in one of the public newſpapers printed in the city of New-York, to the end, that any perſon or perſons who may conceive their intereſt affected thereby, may appear at the bar of either Houſe of the Legiſlature, nd ſhew cauſe (if any they have) againſt the paſſing of ſuch bill.

*Reſolved*, That this Houſe do concur with the Hon. the Senate in their ſaid reſolution.

*Ordered*, That Mr. Savage and Mr. Shurtleff, deliver a copy of the preceding reſolution of concurrence to the Hon. the Senate.

The Hon. the Senate returned by Mr. Thompſon and Mr. Tillotſon, the bill entitled "An act for the relief of William Cockburn, Alexander M'Niſh and others," nd the bill entitled "An act to aſcertain the boundaries of the lands reſerved to the St. Regis Indians."

*Ordered*, That Mr. Schuyler and Mr. Shurtleff, deliver the ſaid bills to the Hon. he Council of Reviſion.

A meſſage from the Hon. the Senate, alſo delivered by Mr. Thompſon and Mr. Tillotſon, with the bill and amendments therein mentioned was read, that the Senate have paſſed the bill entitled "An act for the payment of certain officers of government and other contingent expences," with the amendments therewith delivered. The bill and amendments were read; one of the amendments being again read, was o expunge ſo much of the ſecond clauſe in the bill as relates to allowing the clerks f the Senate and Aſſembly, each one dollar per day for their ſervices during the reſent ſeſſion, over and above the ſums allowed them by law, and to inſert in lieu hereof the following, viz.

And be it further enacted, That the accounts of the clerks of the Senate and Aſembly ſhall be audited and allowed by the Comptroller of this ſtate, inſtead of beng certified, audited and allowed by the Preſident of the Senate and Speaker of the Aſſembly.

Debates were had, and the queſtion having been put, whether the Houſe did conur with the Hon. the Senate in the ſaid amendment, it paſſed in the negative. The eas and nays being called for by Mr. Prevoſt, ſeconded by Mr. Van Benthuyſen, ere as follows, viz.

*For the Negative.*

| | | | |
|---|---|---|---|
| r. Adams | Mr. Floyd | Mr. C. M'Kinſtry | Mr. Shurtleff |
| r. Arcularius | Mr. Fort | Mr. M'Neil | Mr. Skidmore |
| r. Baldwin | Mr. French | Mr. Micheau | Mr. H. Smith |
| r. Barker | Mr. Furman | Mr. Moore | Mr. John Smith |
| r. Bill | Mr. German | Mr. W. Mott | Mr. Philip Smith |
| r. Blake | Mr. B. Gilbert | Mr. Nexen | Mr. Snell |
| r. Boyd | Mr. E. Gilbert | Mr. Oſtrom | Mr. Storm |
| r. Clift | Mr. Heermance | Mr. Paine | Mr. Swart |
| r. Comſtock | Mr. Henry | Mr. Pauling | Mr. S. Ten Broeck |
| r. Corl | Mr. Hogeboom | Mr. Pearce | Mr. Thomas |
| r. Crocker | Mr. Johnſon | Mr. Reynolds | Mr. Van Benthuyſen |
| r. Deitz | Mr. King | Mr. Root | Mr. Van Renſſelaer |
| r. Dewey | Mr. Landon | Mr. Savage | Mr. Voorhis |
| r. Dodge | Mr. J. Lanſingh | Mr. Schuneman | Mr. Waren |
| r. Doty | Mr. Lott | Mr. Schuyler | Mr. Wolfe 62 |
| r. Fairlie | Mr. M'Intyre | | |

*For the Affirmativ.*

| | | | |
|---|---|---|---|
| Mr. Abeel | Mr. Gates | Mr. J. M'Kinſtry | Mr. A. Smith |
| Mr. Bruyn | Mr. Gray | Mr. E. Mott | Mr. John M. Smith |
| Mr. Burr | Mr. Hoag | Mr. Peck | Mr Swartwout |
| Mr. Burt | Mr. Honeywell | Mr. Philips | Mr. Tabor |
| Mr. Clark | Mr. Hopkins | Mr. Prevoſt | Mr. Teed |
| Mr. Coe | Mr. Hunt | Mr. Robins | Mr. Veeder |
| Mr. Cummings | Mr. C. Lanſingh | Mr. Schermerhorn | Mr. Weſtcott |
| Mr. De Witt | Mr. Lefevre | | |

Another of the ſaid amendments was to inſert a clauſe in the ſaid bill in the words following, viz.

And be it further enacted, That there ſhall be allowed to the Chancellor, Chief Juſtice, and each of the other Judges of the Supreme Court, at and after the rate of ſix hundred and twenty-five dollars a year in addition to the annual ſalaries now allowed them, and each of them reſpectively, by law. And that nothing contained in the act entitled "An act conſtituting a commiſſioner in the city of New-York to do certain acts appertaining to the office of a Chancellor, a Judge of the Supreme Court, and for other purpoſes therein mentioned," ſhall be deemed or conſtrued to exempt or excuſe the Judges of the Supreme Court from taxing coſts and ſigning judgment rolls in the ſaid court; but it ſhall be the duty of the ſaid Judges, upon application to them, to perform the ſaid duties in the like manner as if the ſaid act had not been paſſed.

Mr. Speaker put the queſtion, whether the Houſe did concur with the Hon. the Senate in the ſaid amendment, and it paſſed in the negative. The yeas and nays being called for by Mr. Peck, ſeconded by Mr. Bruyn, were as follows, viz.

*For the Negative.*

| | | | |
|---|---|---|---|
| Mr. Adams | Mr. Doty | Mr. C. M'Kinſtry | Mr. Schuneman |
| Mr. Baldwin | Mr. Floyd | Mr. J. M'Kinſtry | Mr. Shurtleff |
| Mr. Barker | Mr. Fort | Mr. M'Neil | Mr. Skidmore |
| Mr. Bill | Mr. French | Mr. Micheau | Mr. A. Smith |
| Mr. Blake | Mr. Gates | Mr. Moore | Mr. H. Smith |
| Mr. Boyd | Mr. German | Mr. E. Mott | Mr. John Smith |
| Mr. Bruyn | Mr. B. Gilbert | Mr. W. Mott | Mr. Philip Smith |
| Mr. Burt | Mr. E. Gilbert | Mr. Nexen | Mr. Snell |
| Mr. Campbell | Mr. Gray | Mr. Oſtrom | Mr. Swart |
| Mr. Clark | Mr. Henry | Mr. Paine | Mr. Swartwout |
| Mr. Clift | Mr. Hoag | Mr. Pauling | Mr. Tabor |
| Mr. Coe | Mr. Hogeboom | Mr. Pearce | Mr. Teed |
| Mr. Comſtock | Mr. Honeywell | Mr. Peck | Mr. S. Ten Broeck |
| Mr. Corl | Mr. Hopkins | Mr. Philips | Mr. Thomas |
| Mr. Crocker | Mr. Johnſon | Mr. Reynolds | Mr. Van Benthuyſen |
| Mr. Cummings | Mr. Landon | Mr. Robins | Mr. Veeder |
| Mr. Deitz | Mr. C. Lanſingh | Mr. Root | Mr. Voorhis |
| Mr. Dewey | Mr. Lefevre | Mr. Savage | Mr. Waren |
| Mr. De Witt | Mr. Lott | Mr. Schermerhorn | Mr. Weſtcott |
| Mr. Dodge | Mr. M'Intyre | | |

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Mr. Abeel | Mr. Furman | Mr. J. Lanſingh | Mr. Storm |
| Mr. Arcularius | Mr. Heermance | Mr. Prevoſt | Mr. Van Renſſelaer |
| Mr. Burr | Mr. Hunt | Mr. Schuyler | Mr. Wolfe |
| Mr. Fairlie | Mr. King | Mr. John M. Smith | |

Another of the ſaid amendments was to inſert a clauſe in the ſaid bill in the words following, viz.

And be it further enacted, That the Treaſurer ſhall pay, on the warrant of the Comptroller, to the Governor's private Secretary, the ſum of 187 dollars 50 cents in addition to his compenſation allowed by law.

Mr. Speaker put the queſtion, whether the Houſe did concur with the Hon. the Senate in the ſaid amendment, and it was carried in the affirmative. The yeas and nays being called for by Mr. Snell, ſeconded by Mr. Arcularius, were as follows, viz.

*For the Affirmative.*

| | | | | |
|---|---|---|---|---|
| Mr. Arcularius | Mr. Fairlie | Mr. M'Neil | Mr. Shurtleff | |
| Mr. Baldwin | Mr. French | Mr. Micheau | Mr. Skidmore | |
| Mr. Blake | Mr. Furman | Mr. E. Mott | Mr. John M. Smith | |
| Mr. Bill | Mr. B. Gilbert | Mr. Paine | Mr. Storm | |
| Mr. Burr | Mr. Heermance | Mr. Pauling | Mr. Swartwout | |
| Mr. Campbell | Mr. Henry | Mr. Philips | Mr. S. Ten Broeck | |
| Mr. Clift | Mr. Hogeboom | Mr. Prevoft | Mr. Thomas | |
| Mr. Coe | Mr. Hopkins | Mr. Robins | Mr. Van Benthuyſen | |
| Mr. Deitz | Mr. J. Lanſingh | Mr. Savage | Mr. Van Renſſelaer | |
| Mr. Dewey | Mr. Lott | Mr. Schermerhorn | Mr. Voorhis | |
| Mr. Dodge | Mr. M'Intyre | Mr. Schuyler | Mr. Wolfe | 46 |
| Mr. Doty | Mr. J. M'Kinſtry | | | |

*For the Negative.*

| | | | | |
|---|---|---|---|---|
| Mr. Abeel | Mr. Floyd | Mr. Landon | Mr. Schuneman | |
| Mr. Adams | Mr. Fort | Mr. C. Lanſingh | Mr. A. Smith | |
| Mr. Blake | Mr. Gates | Mr. Lefevre | Mr. H. Smith | |
| Mr. Boyd | Mr. German | Mr. C. M'Kinſtry | Mr. John Smith | |
| Mr. Bruyn | Mr. E. Gilbert | Mr. Moore | Mr. Snell | |
| Mr. Burt | Mr. Gray | Mr. Nexen | Mr. Swart | |
| Mr. Clark | Mr. Honeywell | Mr. Pearce | Mr. Tabor | |
| Mr. Comſtock | Mr. Hunt | Mr. Peck | Mr. Teed | |
| Mr. Cummings | Mr. Johnſon | Mr. Reynolds | Mr. Veeder | |
| Mr. De Witt | Mr. King | Mr. Root | Mr. Waren | 40 |

Another of the ſaid amendments was to inſert a clauſe in the ſaid bill in the words following, viz.

And be it further enacted, That the Treaſurer ſhall annually, during the pleaſure of the Legiſlature, pay to the Truſtees of Union College, or their order, twelve hundred and fifty dollars for the purpoſe of paying the ſalaries of the profeſſors of ſaid College; and alſo the ſum of twelve hundred and fifty dollars to the Truſtees of Columbia College, or their order, for the purpoſe of paying the profeſſors aforeſaid, to commence at the expiration of the grants heretofore made to the reſpective Colleges.

Mr. Speaker put the queſtion, whether the Houſe did concur with the Hon. the Senate in the ſaid amendment, and it paſſed in the negative. The yeas and nays being called for by Mr. Peck, ſeconded by Mr. Prevoſt, were as follows, viz.

*For the Negative.*

| | | | | |
|---|---|---|---|---|
| Mr. Adams | Mr. Doty | Mr. J. M'Kinſtry | Mr. Skidmore | |
| Mr. Barker | Mr. Fort | Mr. Micheau | Mr. A. Smith | |
| Mr. Blake | Mr. Gates | Mr. Moore | Mr. H. Smith | |
| Mr. Boyd | Mr. German | Mr. E. Mott | Mr. John Smith | |
| Mr. Bruyn | Mr. B. Gilbert | Mr. W. Mott | Mr. Snell | |
| Mr. Burt | Mr. Gray | Mr. Paine | Mr. Tabor | |
| Mr. Campbell | Mr. Hogeboom | Mr. Pearce | Mr. Teed | |
| Mr. Clark | Mr. Honeywell | Mr. Peck | Mr. S. Ten Broeck | |
| Mr. Clift | Mr. Hopkins | Mr. Philips | Mr. Thomas | |
| Mr. Comſtock | Mr. Johnſon | Mr. Reynolds | Mr. Veeder | |
| Mr. Crocker | Mr. King | Mr. Root | Mr. Voorhis | |
| Mr. Cummings | Mr. Landon | Mr. Schermerhorn | Mr. Waren | |
| Mr. Dewey | Mr. Lott | Mr. Schuneman | Mr. Weſtcott | 54 |
| Mr. Dodge | Mr. C. M'Kinſtry | | | |

*For the Affirmative.*

| | | | | |
|---|---|---|---|---|
| Mr. Arcularius | Mr. French | Mr. M'Neil | Mr. Shurtleff | |
| Mr. Baldwin | Mr. Furman | Mr. Oſtrom | Mr. John M. Smith | |
| Mr. Bill | Mr. Heermance | Mr. Pauling | Mr. Philip Smith | |
| Mr. Burr | Mr. Hunt | Mr. Prevoſt | Mr. Storm | |
| Mr. Coe | Mr. C. Lanſingh | Mr. Robins | Mr. Swart | |
| Mr. Corl | Mr. J. Lanſingh | Mr. Savage | Mr. Swartwout | |
| Mr. Fairlie | Mr. M'Intyre | Mr. Schuyler | Mr. Wolfe | 29 |
| Mr. Floyd | | | | |

Another of the ſaid amendments was to inſert a clauſe in the ſaid bill in the words following, viz.

And be it further enacted, That the Treaſurer ſhall, from time to time, pay to the order of his Excellency the Governor of this ſtate, on the warrant of the Comptroller, the money due and to become due for the rent of the houſe in which he lives, in the city of Albany, together with the amount of the taxes paid or to be paid for the ſame houſe.

Mr. Speaker put the queſtion, whether the Houſe did concur with the Hon. the Senate in the ſaid amendment, and it was carried in the affirmative. The yeas and nays being called for by Mr. Swartwout, ſeconded by Mr. Philip Smith, were as follows, viz.

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Mr. Abeel | Mr. Fort | Mr. Lefevre | Mr. Prevoft |
| Mr. Barker | Mr. French | Mr. Lott | Mr. Reynolds |
| Mr. Bill | Mr. Furman | Mr. C. M'Kinſtry | Mr. Schermerhorn |
| Mr. Bruyn | Mr. Gates | Mr. J. M'Kinſtry | Mr. Schuyler |
| Mr. Burt | Mr. German | Mr. M'Neil | Mr. Shurtleff |
| Mr. Burt | Mr. B. Gilbert | Mr. Micheau | Mr. Skidmore |
| Mr. Clift | Mr. Gray | Mr. Moore | Mr. John M. Smith |
| Mr. Crocker | Mr. Heermance | Mr. E. Mott | Mr. Philip Smith |
| Mr. Cummings | Mr. Henry | Mr. W. Mott | Mr. Snell |
| Mr. Deitz | Mr. Hopkins | Mr. Nexen | Mr. Storm |
| Mr. Dewey | Mr. Hunt | Mr. Oſtrom | Mr. Teed |
| Mr. De Wit | Mr. Johnſon | Mr. Paine | Mr. Thomas |
| Mr. Dodge | Mr. King | Mr. Pauling | Mr. Van Renſſelaer |
| Mr. Fairlie | Mr. C. Lanſingh | Mr. Pearce | Mr. Voorhis |
| Mr. Floyd | Mr. J. Lanſingh | Mr. Philips | Mr. Wolfe — 60 |

*For the Negative.*

| | | | |
|---|---|---|---|
| Mr. Adams | Mr. Corl | Mr. Root | Mr. Swartwout |
| Mr. Arcularius | Mr. E. Gilbert | Mr. Savage | Mr. Tabor |
| Mr. Baldwin | Mr. Hogeboom | Mr. Schuneman | Mr. S. Ten Broeck |
| Mr. Blake | Mr. Landon | Mr. A. Smith | Mr. Van Benthuyſen |
| Mr. Boyd | Mr. M'Intyre | Mr. H. Smith | Mr. Veeder |
| Mr. Clark | Mr. Peck | Mr. John Smith | Mr. Waren |
| Mr. Coe | Mr. Robins | Mr. Swart | Mr. Weſtcott — 29 |
| Mr. Comſtock | | | |

The ſeveral other amendments were alſo again read, and ſome of them were concurred in and others not concurred in by the Houſe: Thereupon,

*Reſolved*, That this Houſe do concur with the Hon. the Senate in ſuch of their amendments as are for that purpoſe deſignated in the margin of the ſaid amendments, and do not concur in their other amendments to the ſaid bill.

*Ordered*, That Mr. A. Smith and Mr. H. Smith deliver the bill, amendments, and a copy of the preceding reſolution to the Hon. the Senate.

A meſſage from the Hon. the Senate, delivered by Mr. Vail and Mr. Van Schoonhoven, with the bill and a copy of the reſolution therein mentioned, was read, that the Senate have receded from their amendment to the bill entitled "An act for the relief of John Lanſing, jun." not concurred in by this Houſe.

*Ordered*, That Mr. A. Smith and Mr. H. Smith return the bill to the Hon. the Senate and inform them that this Houſe have amended the ſaid bill purſuant to the amendment of the Hon. the Senate, concurred in by this Houſe.

A meſſage from the Hon. the Senate, delivered by Mr. Van Schoonhoven and Mr. Van Vechten, with the bill therein mentioned, was read, that the Senate have paſſed the bill entitled "An act making proviſion to keep in repair the bridge over Schoharie kill, near Fort-Hunter, in the county of Montgomery," with the amendment therewith delivered.

The bill with the amendment was read, and the amendment having been read a ſecond time, was concurred in by the Houſe, and the bill ordered to be amended accordingly.

*Ordered*, That Mr. H. Smith and Mr. John Smith deliver the bill to the Hon. the Senate and inform them that this Houſe have concurred in their amendment to the bill, and that the ſame is amended accordingly.

A meſſage from the Hon. the Council of Reviſion, tranſmitted to this Houſe by the Hon. the Senate, was read, that it does not appear improper to the Council that the bill entitled "An act relative to civil relations of perſons ſentenced to impriſonment for life," the bill entitled "An act relative to the ſalt ſprings in the county of Onondaga," the bill entitled "An act for continuing in force an act entitled "An act repealing an act entitled "An act for granting and ſecuring to John Fitch the ſole right and advantage of making and employing the ſteam-boat by him lately invented, and for other purpoſes," the bill entitled "An act to regulate the ſalting, repacking and inſpection of beef and pork for exportation," and the bill entitled "An act to incorporate the turnpike corporation for improving the road from the city of Hudſon to the line of Maſſachuſetts, on the road to Hartford," ſhould reſpectively become laws of this ſtate.

A meſſage from the Hon. the Council of Reviſion, delivered by the Hon. the Chief Juſtice, was read, that it does not appear improper to the Council that the bill entitled "An act to enlarge the powers of the commiſſioners of the land-office," the

ll entitled "An act further to amend the laws relative to the militia of this ſtate," e bill entitled "An act for the relief of William Cockburn, Alexander M'Niſh d others," and the bill entitled "An act to aſcertain the boundaries of the lands ſerved to the St. Regis Indians," ſhould reſpectively become laws of this ſtate.

Two ſeveral meſſages from the Hon. the Senate, delivered by Mr. Van Vechten d Mr. Addiſon, with the bills therein mentioned, were read, that the Senate have aſſed the bill entitled "An act for the relief of George Merchant, John I. Klock, hn Joyce and David Cook," and the bill entitled "An act to enable certain perns therein named to purchaſe and hold real eſtates within this ſtate," reſpectively, ith the amendments therewith delivered.

The ſaid bills with their amendments reſpectively were read, and the amendments verally concurred in by this Houſe, and the bills ordered to be amended accordgly.

*Ordered*, That Mr. John Smith and Mr. John M. Smith deliver the ſame to the on. the Senate and inform them that this Houſe have concurred in their amendents to the ſaid bills reſpectively, and have amended the ſame accordingly.

A meſſage from the Hon. the Senate, delivered by Mr. Addiſon and Mr. Bronk, ith the bill and amendments therewith delivered, were read, that the Senate have aſſed the bill entitled "An act to eſtabliſh a turnpike corporation for improving e road from the village of Lanſingburgh through Cambridge and Salem to the uſe now occupied by Hezekiah Leaving, in the town of Granville, and alſo from e houſe of John Faulkner, jun. in Salem, to the line of Rupert, in the ſtate of Veront, near the houſe of William Brown," with the amendments therewith delivered. he bill and amendments were read, and the amendments having been read a ſeond time, were concurred in by the Houſe, and the bill ordered to be amended acrdingly.

*Ordered*, That Mr. John Smith and Mr. John M. Smith deliver the bill to the on. the Senate, and inform them that this Houſe have concurred in their amendents to the bill, and that the ſame is amended accordingly.

The Hon. the Senate returned, by Mr. Addiſon and Mr. Bronk, the bill entitled An act for the relief of John Lanſing, jun." and the bill entitled "An act making oviſion to keep in repair the bridge over Schoharie-kill, at Fort-Hunter, in the unty of Montgomery."

*Ordered*, That Mr. Reynolds and Mr. Robins deliver the ſaid bills to the Hon. e Council of Reviſion.

Mr. Heermance from the committee to whom was committed the bill entitled An act relative to the bridge acroſs the Norman's-kill, near the city of Albany," orted, that the committee had gone through the bill and agreed to the ſame with- amendment, which report he read in his place, and delivered the bill in at the le, where the ſame was again read and agreed to by the Houſe. By unanimous ſent the ſaid bill was read the third time.

*Reſolved*, That the bill do paſs.

Then the Houſe adjourned until four o'clock this afternoon.

*Four o'clock P. M.*

The Houſe met purſuant to adjournment.

The bill entitled "An act to amend the act entitled "An act for the relief of tors with reſpect to the impriſonment of their perſons," with the engroſſed amendnts, were read the third time. Mr. Speaker put the queſtion, whether the ſaid ll ſhould paſs as amended, and it was carried in the affirmative. The yeas and ys were called for by Mr. Boyd, ſeconded by Mr. H. Smith, and were as folws, viz.

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Mr. Abeel | Mr. Dodge | Mr. J. Lanſingh | Mr. Prevoſt |
| Mr. Adams | Mr. Doty | Mr. M'Intyre | Mr. Reynolds |
| Mr. Baldwin | Mr. Fort | Mr. C. M'Kinſtry | Mr. Root |
| Mr. Barker | Mr. French | Mr. J. M'Kinſtry | Mr. Savage |
| Mr. Bill | Mr. Furman | Mr. M'Neil | Mr. Schermerhorn |
| Mr. Burr | Mr. Gates | Mr. Micheau | Mr. A. Smith |
| Mr. Campbell | Mr. German | Mr. Moore | Mr. John Smith |
| Mr. Clift | Mr. E. Gilbert | Mr. E. Mott | Mr. Snell |
| Mr. Coe | Mr. B. Gilbert | Mr. W. Mott | Mr. Swart |
| Mr. Comſtock | Mr. Gray | Mr. Oſtrom | Mr. Tabor |
| Mr. Crocke | Mr. Honeywell | Mr. Paine | Mr. S. Ten Broeck |
| Mr. Cummings | Mr. Hopkins | Mr. Pauling | Mr. Veeder |
| Mr. Deitz | Mr. Johnſon | Mr. Pearce | Mr. Waren |
| Mr. Dewey | Mr. King | Mr. Peck | Mr. Weſtcott |

*For the Negative.*

| | | | |
|---|---|---|---|
| Mr. Arcularius | Mr. Heermance | Mr. Philips | Mr. Philip Smith |
| Mr. Blake | Mr. Hogeboom | Mr. Robins | Mr. Storm |
| Mr. Boyd | Mr. Hunt | Mr. Schuneman | Mr. Swartwout |
| Mr. Bruyn | Mr. Landon | Mr. Skidmore | Mr. Teed |
| Mr. Burt | Mr. C. Lanſingh | Mr. H. Smith | Mr. Thomas |
| Mr. Floyd | Mr. Nexen | Mr. John M. Smith | Mr. Wolfe |

Thereupon *Reſolved*, That the bill do paſs.

*Ordered*, That Mr. John M. Smith and Mr. Philip Smith, deliver the bill w the amendments to the Hon. the Senate, and inform them that this Houſe have p ed the bill with the amendments therewith delivered.

A meſſage from the Hon. the Senate, delivered by Mr. Beekman and Mr. Bro with the bill therein mentioned was read, that the Senate have paſſed the bill e tled "An act for the relief of David Thomas," with the amendments therewith livered. The bill and amendments were read; one of the amendments was to ter the title, the altered title is "An act further directing the commiſſioners of land-office," and the amendments having been again read, were ſeverally concu in by the Houſe, and the bill ordered to be amended accordingly.

The Houſe proceeded to the report of the committee of ways and means. T ſaid report as entered on the journal of this Houſe of the 25th inſt. was again re

Thereupon, *Ordered*, That leave be given to bring in the bill mentioned in ſaid report.

Mr. John M. Smith according to leave brought in the ſaid bill entitled "An to raiſe a ſum of money for the uſe of this ſtate by tax," which was read the f time, and by unanimous conſent was alſo read the ſecond time, and committed committee of the whole Houſe.

Then the Houſe reſolved itſelf into a committee of the whole Houſe on the bill, and after ſome time ſpent thereon, Mr. Speaker reſumed the chair, and Prevoſt from the ſaid committee reported, that after the ſaid bill had been read the committee, Mr. Burr made a motion that the committee ſhould agree to receive a ſubſtitute for the ſaid bill, a bill entitled "An act to raiſe a ſum of money for the of this ſtate by tax and for the further ſupport of government," and that the queſti having been put on the ſaid motion of Mr. Burr, it was carried in the affirmati That in proceeding in the bill ſo ſubſtituted, a clauſe thereof was read in the wo following, viz.

And be it further enacted, That the Treaſurer of this ſtate be, and he is here authorized and required, to pay to the Preſident of the Senate, the Speaker of Aſſembly, the members of the Legiſlature, and the officers belonging to each Hou for their attendance at the preſent ſeſſion, one half of the additional compenſati which was by law allowed to the Preſident of the Senate, the Speaker of the Aſſe bly, the members of the Legiſlature, and the officers belonging to each Houſe at laſt ſeſſion; and that each officer ſhall be allowed compenſation for travelling the ſame rate as members of the Legiſlature are allowed; and that in addition the annual ſalaries now allowed to the Governor or perſon adminiſtering the g ernment of this ſtate, to the Chancellor, to the Chief Juſtice, and each of the ot

Juſtices of the Supreme Court, and to the Secretary of State, there be allowed from the firſt day of July laſt, until the firſt day of July next, the one half of the ſums which were allowed to thoſe officers reſpectively, by law of the laſt ſeſſion for the then current year.

That the queſtion was put whether the committee did agree to the ſaid clauſe, and it paſſed in the negative. That the yeas and nays were called for by Mr. Peck, ſeconded by Mr. Floyd, and were as follows, viz.

*For the Negative.*

| | | | | |
|---|---|---|---|---|
| Mr. Abeel | Mr. Fort | Mr. W. Mott | Mr. John Smith | |
| Mr. Adams | Mr. E. Gilbert | Mr. Pearce | Mr. Philip Smith | |
| Mr. Baldwin | Mr. Gray | Mr. Peck | Mr. Snell | |
| Mr. Blake | Mr. Hogeboom | Mr. Robins | Mr. Swart | |
| Mr. Boyd | Mr. Honeywell | Mr. Root | Mr. Tabor | |
| Mr. Bruyn | Mr. Hopkins | Mr. Savage | Mr. Teed | |
| Mr. Burt | Mr. Johnſon | Mr. Schuneman | Mr. S. Ten Broeck | |
| Mr. Comſtock | Mr. Landon | Mr. Skidmore | Mr. Thomas | |
| Mr. Crocker | Mr. C. Lanſingh | Mr. A. Smith | Mr. Veeder | |
| Mr. Deitz | Mr. E. Mott | Mr. H. Smith | Mr. Weſtcott | 41 |
| Mr. Floyd | | | | |

*For the Affirmative.*

| | | | | |
|---|---|---|---|---|
| Mr. Arcularius | Mr. Doty | Mr. M'Intyre | Mr. Pauling | |
| Mr. Barker | Mr. French | Mr. C. M'Kinſtry | Mr. Philips | |
| Mr. Burr | Mr. Furman | Mr. J. M'Kinſtry | Mr. Reynolds | |
| Mr. Campbell | Mr. Gates | Mr. M'Neil | Mr. Schermerhorn | |
| Mr. Clark | Mr. German | Mr. Micheau | Mr. John M. Smith | |
| Mr. Clift | Mr. B. Gilbert | Mr. Moore | Mr. Speaker | |
| Mr. Coe | Mr. Heermance | Mr. Nexen | Mr. Storm | |
| Mr. Cummings | Mr. Hunt | Mr. Oſtrom | Mr. Swartwout | |
| Mr. Dewey | Mr. King | Mr. Paine | Mr. Wolfe | 38 |
| Mr. Dodge | Mr. J. Lanſingh | | | |

That in proceeding to fill up the blanks in the ſaid bill, a clauſe thereof which had been agreed to in the committee was again read, and is in the words following viz.

And be it further enacted, That the Mayor, Aldermen and Commonalty of the city of New-York, may borrow on the credit of this ſtate, a ſum not exceeding dollars, to be applied towards the relief of the ſaid city from expences incurred and to be incurred by reaſon of recent calamities, and by the meaſures which may be taken to prevent a return thereof; and that the Legiſlature will hereafter make proviſion for the repayment of the ſum ſo to be borrowed.

That a motion was made that the words "*fifty thouſand*" ſhould be inſerted in the ſaid blank; that the queſtion having been put whether the committee did agree thereto, it paſſed in the negative. That the yeas and nays were called for by Mr. Hopkins, ſeconded by Mr. Root, and were as follows, viz.

*For the Negative.*

| | | | | |
|---|---|---|---|---|
| Mr. Abeel | Mr. Doty | Mr. C. M'Kinſtry | Mr. Philip Smith | |
| Mr. Baldwin | Mr. Fort | Mr. W. Mott | Mr. Swart | |
| Mr. Barker | Mr. Gates | Mr. Pearce | Mr. Tabor | |
| Mr. Blake | Mr. E. Gilbert | Mr. Peck | Mr. Teed | |
| Mr. Bruyn | Mr. Gray | Mr. Reynolds | Mr. S. Ten Broeck | |
| Mr. Burt | Mr. Heermance | Mr. Root | Mr. Thomas | |
| Mr. Clark | Mr. Hogeboom | Mr. Savage | Mr. Van Benthuyſen | |
| Mr. Comſtock | Mr. Hopkins | Mr. Schermerhorn | Mr. Veeder | |
| Mr. Corl | Mr. Landon | Mr. A. Smith | Mr. Waren | |
| Mr. Crocker | Mr. C. Lanſingh | Mr. H. Smith | Mr. Weſtcott | 43 |
| Mr. Deitz | Mr. M'Intyre | Mr. John Smith | | |

*For the Affirmative.*

| | | | | |
|---|---|---|---|---|
| Mr. Adams | Mr. Fairlie | Mr. J. Lanſingh | Mr. Robins | |
| Mr. Arcularius | Mr. Floyd | Mr. J. M'Kinſtry | Mr. Schuneman | |
| Mr. Bill | Mr. French | Mr. M'Neil | Mr. Skidmore | |
| Mr. Boyd | Mr. Furman | Mr. Moore | Mr. John M. Smith | |
| Mr. Burr | Mr. German | Mr. E. Mott | Mr. Snell | |
| Mr. Campbell | Mr. B. Gilbert | Mr. Nexen | Mr. Speaker | |
| Mr. Clift | Mr. Honeywell | Mr. Oſtrom | Mr. Storm | |
| Mr. Coe | Mr. Hunt | Mr. Paine | Mr. Swartwout | |
| Mr. Dewey | Mr. Johnſon | Mr. Pauling | Mr. Wolfe | 39 |
| Mr. Dodge | Mr. King | Mr. Philips | | |

That a motion was then made by Mr. French, that the words "*forty-five thousand*" ſhould be inſerted in the ſaid blank; that the queſtion having been put thereon, it was carried in the affirmative. That the yeas and nays were called for by Mr. Hopkins, ſeconded by Mr. Fairlie, and were as follows, viz.

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Mr. Adams | Mr. Doty | Mr. M'Intyre | Mr. Robins |
| Mr. Arcularius | Mr. Fairlie | Mr. C. M'Kinſtry | Mr. Schermerhorn |
| Mr. Bill | Mr. Floyd | Mr. J. M'Kinſtry | Mr. Schuneman |
| Mr. Boyd | Mr. French | Mr. M'Neil | Mr. Skidmore |
| Mr. Bruyn | Mr. Furman | Mr. Michean | Mr. John M. Smith |
| Mr. Burr | Mr. German | Mr. Moore | Mr. Snell |
| Mr. Campbell | Mr. B. Gilbert | Mr. E. Mott | Mr. Speaker |
| Mr. Clift | Mr. E. Gilbert | Mr. W. Mott | Mr. Storm |
| Mr. Coe | Mr. Hogeboom | Mr. Nexen | Mr. Swart |
| Mr. Corl | Mr. Honeywell | Mr. Oſtrom | Mr Swartwout |
| Mr. Cummings | Mr. Hunt | Mr. Paine | Mr. S. Ten Broeck |
| Mr. Deitz | Mr. Johnſon | Mr. Pauling | Mr. Veeder |
| Mr. Dewey | Mr. King | Mr. Philips | Mr. Wolfe |
| Mr. Dodge | Mr. J. Lanſingh | | |

*For the Negative.*

| | | | |
|---|---|---|---|
| Mr. Abeel | Mr. Fort | Mr. Peck | Mr. John Smith |
| Mr. Baldwin | Mr. Gates | Mr. Reynolds | Mr. Philip Smith |
| Mr. Barker | Mr. Gray | Mr. Root | Mr. Tabor |
| Mr. Blake | Mr. Heermance | Mr. Savage | Mr. Teed |
| Mr. Burt | Mr. Hopkins | Mr. A. Smith | Mr. Thomas |
| Mr. Comſtock | Mr. C. Lanſingh | Mr. H. Smith | Mr. Weſtcott |
| Mr. Crocker | Mr. Pearce | | |

That the words "*forty-five thouſand*" were accordingly inſerted in the ſaid blank.

That Mr. Burr then made a motion that the committee ſhould agree to reconſider the clauſe relative to additional compenſation to the officers of government and members and officers of the Legiſlature; and the queſtion having been put on the ſaid motion, it was carried in the affirmative.

That a motion was then made that the committee ſhould agree to the ſaid clauſe and the queſtion having been put thereon, it was carried in the affirmative. That the yeas and nays were called for by Mr. Peck, ſeconded by Mr. Landon, and were as follows, viz.

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Mr. Arcularius | Mr. Doty | Mr. J. Lanſingh | Mr. Pauling |
| Mr. Barker | Mr. French | Mr. M'Intyre | Mr. Philips |
| Mr. Bill | Mr. Furman | Mr. C. M'Kinſtry | Mr. Reynolds |
| Mr. Burr | Mr. Gates | Mr. J. M'Kinſtry | Mr. Schermerhorn |
| Mr. Campbell | Mr. German | Mr. M'Neil | Mr. John M. Smith |
| Mr. Clark | Mr. B. Gilbert | Mr. Micheau | Mr. Speaker |
| Mr. Clift | Mr. Heermance | Mr. Moore | Mr. Storm |
| Mr. Coe | Mr. Honeywell | Mr. Nexen | Mr. Swartwout |
| Mr. Cummings | Mr. Hunt | Mr. Oſtrom | Mr. Waren |
| Mr. Dewey | Mr. King | Mr. Paine | Mr. Wolfe |
| Mr. Dodge | | | |

*For the Negative.*

| | | | |
|---|---|---|---|
| Mr. Abeel | Mr. Floyd | Mr. Pearce | Mr. Snell |
| Mr. Adams | Mr. Fort | Mr. Peck | Mr. Swart |
| Mr. Blake | Mr. Gray | Mr. Root | Mr. Tabor |
| Mr. Bruyn | Mr. Johnſon | Mr. Savage | Mr. Teed |
| Mr. Burt | Mr. Landon | Mr. Schuneman | Mr. S. Ten Broeck |
| Mr. Comſtock | Mr. C. Lanſingh | Mr. Skidmore | Mr. Thomas |
| Mr. Crocker | Mr. E. Mott | Mr. A. Smith | Mr. Veeder |
| Mr. Deitz | Mr. W. Mott | Mr. John Smith | Mr. Weſtcott |

Mr. Prevoſt further reported, that the committee had gone through the bill, made amendments, filled up the blanks and agreed to the ſame; which report he read in his place, and delivered the bill and amendments in at the table, where the ſame were again read and agreed to by the Houſe.

*Ordered*, That the bill be engroſſed.

Two ſeveral meſſages from the Hon. the Senate, delivered by Mr. Bronk and Mr. Cantine, with the bills therein reſpectively mentioned were read, that the Senate have paſſed the bill entitled "An act for ſupplying the city of New-York with pure and wholeſome water," and the bill entitled "An act to amend the ſtatute of limitation," ſeverally without amendment.

*Ordered*, That Mr. John M. Smith and Mr. Philip Smith, deliver the ſaid bills to the Hon. the Council of Reviſion.

Mr. Savage from the committee of the whole Houſe, on the bill entitled "An act directing the mode of granting letters of adminiſtration in certain caſes where perſons ſhall die inteſtate in the city of New-York," reported, that the committee had gone through the bill without amendment; which report he read in his place, and delivered the bill in at the table, where the ſame was again read and agreed to by the Houſe. By unanimous conſent the ſaid bill was read the third time.

*Reſolved*, That the bill do paſs.

*Ordered*, That Mr. Philip Smith and Mr. Snell, deliver the bill to the Hon. the Senate, and inform them that this Houſe have paſſed the ſame without amendment.

Mr. Storm from the committee of the whole Houſe, on the bill entitled "An act for the better ſupport of the Oneida Indians," reported progreſs, and obtained leave to ſit again.

The Houſe proceeded to a reconſideration of the queſtion on receding from their reſolution of non-concurrence in the amendment of the Hon. the Senate to the bill entitled "An act to eſtabliſh a turnpike corporation for improving the road from the ſprings in Lebanon to the city of Albany, and a like corporation for improving the road from the village of Bath to the Maſſachuſetts line, and for repealing the act therein mentioned.

A motion was made that the Houſe ſhould recede from their reſolution of non-concurrence in the amendment of the Hon. the Senate to the ſaid bill, and the queſtion having been put thereon, it was carried in the affirmative: Thereupon,

*Reſolved*, That this Houſe do recede from their reſolution of non-concurrence in the amendment of the Hon. the Senate to the ſaid bill.

*Ordered*, That Mr. Philip Smith and Mr. Snell, deliver the bill to the Hon. the Senate, and inform them that the ſame is amended, purſuant to the amendments of the Hon. the Senate.

Mr. Tabor from the committee to whom was referred the petition of Cornelius Drake and others, with the report of the Surveyor-General thereon, reported in favor of the petitioner, and obtained leave to bring in a clauſe to be added to ſome proper bill for that purpoſe.

Then the Houſe adjourned until nine o'clock on Monday morning next

MONDAY, *nine o'clock, A. M. April 1ſt*, 1799.

The engroſſed bill entitled "An act to raiſe a ſum of money for the uſe of the ſtate by tax, and for the better ſupport of government," was read the third time.

Mr. Speaker put the queſtion whether the ſaid bill ſhould paſs, and it was carried in the affirmative. The yeas and nays were called for by Mr. Floyd, ſeconded by Mr. Root, and were as follows, viz.

*For the Affirmative.*

| | | | | |
|---|---|---|---|---|
| Mr. Arcularius | Mr. Fort | Mr. Lott | Mr. Reynolds | |
| Mr. Barker | Mr. French | Mr. M'Intyre | Mr. Robins | |
| Mr. Boyd | Mr. Furman | Mr. C. M'Kinſtry | Mr. Schermerhorn | |
| Mr. Burr | Mr. Gates | Mr. J. M'Kinſtry | Mr. Schuyler | |
| Mr. Campbell | Mr. German | Mr. M'Neil | Mr. Shurtleff | |
| Mr. Clift | Mr. B. Gilbert | Mr. Micheau | Mr. John M. Smith | |
| Mr. Coe | Mr. Gray | Mr. Moore | Mr. Philip Smith | |
| Mr. Cummings | Mr. Hopkins | Mr. E. Mott | Mr. Storm | |
| Mr. Deitz | Mr. Hunt | Mr. Oſtrom | Mr. Swart | |
| Mr. Dewey | Mr. Johnſon | Mr. Paine | Mr. Swartwout | |
| Mr. Dodge | Mr. King | Mr. Pauling | Mr. S. Ten Broeck | |
| Mr. Doty | Mr. C. Lanſingh | Mr. Pearce | Mr. Van Renſſelaer | |
| Mr. Fairlie | Mr. J. Lanſingh | Mr. Philips | Mr. Wolfe | 52 |

*For the Negative.*

| | | | | |
|---|---|---|---|---|
| Mr. Abeel | Mr. Crocker | Mr. Savage | Mr. Tabor | |
| Mr. Adams | Mr. Floyd | Mr. Schuneman | Mr. Teed | |
| Mr. Baldwin | Mr. E. Gilbert | Mr. Skidmore | Mr. Thomas | |
| Mr. Blake | Mr. Hogeboom | Mr. A. Smith | Mr. Van Benthuyſen | |
| Mr. Bruyn | Mr. Landon | Mr. H. Smith | Mr. Veeder | |
| Mr. Burt | Mr. W. Mott | Mr. John Smith | Mr. Waren | |
| Mr. Clark | Mr. Peck | Mr. Snell | Mr. Weſtcott | 30 |
| Mr. Comſtock | Mr. Root | | | |

Thereupon, *Reſolved*, That the bill do paſs.

*Ordered*, That Mr. A. Smith and Mr. H. Smith, deliver the bill to the Hon. t Senate, and requeſt their concurrence.

The bill entitled "An act for the relief of heirs, deviſees and legal repreſentativ of the officers and ſoldiers of the army of the United States, who ſerved in the line this ſtate," was read a ſecond time, and the queſtion being put whether the ſam ſhould be committed to a committee of the whole Houſe, it paſſed in the negative.

A motion was made that the Houſe ſhould reconſider the queſtion on concurri with the Hon. the Senate in their amendment to the bill entitled "An act for t payment of certain officers of government and other contingent expences," whereb it is propoſed to expunge that part of the 11th clauſe of the ſaid bill granting a additional compenſation to the clerks of the two Houſes, and to inſert in lieu there of a paragraph in the words following, viz.

And be it further enacted, That the accounts of the clerks of the Senate and A ſembly ſhall be audited and allowed by the Comptroller of this ſtate, inſtead of be ing certified, audited and allowed by the Preſident of the Senate and Speaker of th Aſſembly; and the queſtion having been put thereon, it was carried in the affirm ative.

A motion was then made that this Houſe do concur with the Hon. the Senate i the ſaid amendment, and the queſtion having been put thereon, it was carried in th affirmative. The yeas and nays were called for by Mr. Doty, ſeconded by Mr French, were as follows, viz.

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Mr. Abeel | Mr. B. Gilbert | Mr. Nexen | Mr. John M. Smith |
| Mr. Adams | Mr. E. Gilbert | Mr. Pearce | Mr. Snell |
| Mr. Bruyn | Mr. Gray | Mr. Peck | Mr. Swart |
| Mr. Burt | Mr. Honeywell | Mr. Prevoſt | Mr. Swartwout |
| Mr. Campbell | Mr. Hopkins | Mr. Reynolds | Mr. Tabor |
| Mr. Clift | Mr. Hunt | Mr. Robins | Mr. Teed |
| Mr. Coe | Mr. Landon | Mr. Schermerhorn | Mr. Veeder |
| Mr. Dewey | Mr. C. Lanſingh | Mr. Schuneman | Mr. Waren |
| Mr. Dodge | Mr. J. M'Kinſtry | Mr. A. Smith | Mr. Weſtcott |
| Mr. Fairlie | Mr. M'Niel | Mr. John Smith | Mr. Wolfe |
| Mr. Gates | Mr. E. Mott | | |

*For the Negative.*

| | | | |
|---|---|---|---|
| Mr. Arcularius | Mr. German | Mr. Moore | Mr. Skidmore |
| Mr. Baldwin | Mr. Henry | Mr. W. Mott | Mr. H. Smith |
| Mr. Bill | Mr. Hogeboom | Mr. Oſtrom | Mr. Philip Smith |
| Mr. Blake | Mr. Johnſon | Mr. Paine | Mr. Storm |
| Mr. Crocker | Mr. King | Mr. Pauling | Mr. S. Ten Broeck |
| Mr. Deitz | Mr. Lott | Mr. Philips | Mr. Thomas |
| Mr. Doty | Mr. M'Intyre | Mr. Root | Mr. Van Benthuyſen |
| Mr. French | Mr. C. M'Kinſtry | Mr. Savage | Mr. Van Renſelaer |
| Mr. Furman | Mr. Michean | Mr. Shurtleff | |

On motion, *Reſolved*, (if the Hon the Senate concur herein,) That the Legiſlature will adjourn on Wedneſday next inſtead of this day.

*Ordered*, That Mr. John Smith and Mr. John M. Smith, deliver a copy of the preceding reſolution to the Hon. the Senate.

Mr. Dewey from the committee of the whole Houſe, on the bill entitled "An act relative to the counties of Ontario and Steuben;" reported, that the committee had gone through the bill and agreed to the ſame without amendment; which report he read in his place, and delivered the bill in at the table, where it was again read and agreed to by the Houſe.

By unanimous conſent the ſaid bill was read the third time.

*Reſolved*, That the bill do paſs.

*Ordered*, That Mr. Philip Smith and Mr. Snell, deliver the bill to the Hon. the Senate, and inform them that this Houſe have paſſed the bill without amendment.

Mr. Doty from the committee of the whole Houſe, on the bill entitled "An act authorizing the Governor whenever in caſes of public calamity the ſame ſhall become neceſſary, to appoint occaſionally, places for holding any of the courts within this ſtate, different from the place where they ſhall be to be held by law and for other purpoſes," reported, that the committee had gone through the bill, expunged the laſt clauſe thereof, and alſo expunged from the title the words "*and for other purpoſes;*" which he was directed to report to the Houſe, and he read the report in

his place, and delivered the bill in at the table, where the ſame was again read and agreed to by the Houſe.

*Ordered*, That the amendments be engroſſed.

The ſaid laſt mentioned bill, with the engroſſed amendments, was read the third time by unanimous conſent.

*Reſolved*, That the bill do paſs.

*Ordered*, That Mr. Philip Smith and Mr. Snell deliver the bill, with the amendments, to the Hon. the Senate, and inform them that this Houſe have paſſed the bill with the amendments therewith delivered.

The Hon. the Senate returned, by Mr. Clinton and Mr. Foote, the bill entitled "An act to eſtabliſh a turnpike corporation for improving the road from the ſprings in Lebanon to the city of Albany, and a like corporation for improving the road from the village of Bath to the Maſſachuſetts line, and for repealing the act therein mentioned," the bill entitled "An act further directing the commiſſioners of the land-office," the bill entitled "An act to eſtabliſh a turnpike corporation for improving the road from the village of Lanſingburgh, through Cambridge and Salem, to the houſe now occupied by Hezekiah Leaving, in the town of Grenville, and alſo from the houſe of John Faulkner in Salem, to the line of Rupert, in the ſtate of Vermont, near the houſe of William Brown," the bill entitled "An act for the relief of George Merchant, John J. Klock, John Joyce and David Cook," and the bill entitled "An act to enable certain perſons therein named to purchaſe and hold real eſtates within this State."

*Ordered*, That Mr. Snell and Mr. Storm, deliver the ſaid bills to the Hon. the Council of Reviſion.

Two ſeveral meſſages from the Hon. the Senate, alſo delivered by Mr. Clinton and Mr. Foote, with the bills therein reſpectively mentioned were read, that the Senate have paſſed the bill entitled "An act to amend the act entitled "An act for the better ſettlement and relief of the poor," and the bill entitled "An act to amend the act entitled "An act to lay a duty on ſtrong liquors, and for the regulating inns and taverns," reſpectively without amendment.

*Ordered*, That Mr. Snell and Mr. Storm, deliver the ſaid bills to the Hon. the Council of Reviſion.

A meſſage from the Hon. the Senate, alſo deliver by Mr. Clinton and Mr. Forte, with the bill, amendments and a copy of the reſolution therein mentioned was read, that the Senate do not concur with this Houſe in their amendments to the bill entitled "An act to amend the act entitled "An act for the relief of debtors with reſpect to the impriſonment of their perſon.s" The ſaid amendments were again read; one of the ſaid amendments is to expunge the words "*two thouſand five hundred*," and to inſert "*five thouſand*."

A motion was made that this Houſe do adhere to their ſaid amendment, and it paſſed in the negative. The yeas and nays were called for by Mr. Comſtock, ſeconded by Mr. Arcularius, and were as follows, viz.

*For the Negative.*

| | | | | |
|---|---|---|---|---|
| Mr. Arcularius | Mr. Gray | Mr. Pauling | Mr. John M. Smith | |
| Mr. Blake | Mr. Hunt | Mr. Peck | Mr. Philip Smith | |
| Mr. Bruyn | Mr. King | Mr. Philips | Mr. Storm | |
| Mr. Burt | Mr. Landon | Mr. Reynolds | Mr. Swart | |
| Mr. Clift | Mr. C. Lanſingh | Mr. Robins | Mr. Swartwout | |
| Mr. Cummings | Mr. Lott | Mr. Savage | Mr. Tabor | |
| Mr. Dewey | Mr. Micheau | Mr. Schuyler | Mr. Teed | |
| Mr. Fort | Mr. Nexen | Mr. Skidmore | Mr. Thomas | |
| Mr. Furman | Mr. Oſtrom | Mr. H. Smith | Mr. Wolfe | 38 |
| Mr. B. Gilbert | Mr. Paine | | | |

*For the Affirmative.*

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|---|---|---|---|---|
| Mr. Abeel | Mr. German | Mr. E. Mott | Mr. A. Smith | |
| Mr. Baldwin | Mr. E. Gilbert | Mr. W. Mott | Mr. John Smith | |
| Mr. Clark | Mr. Heermance | Mr. Pearce | Mr. Snell | |
| Mr. Coe | Mr. Johnſon | Mr. Prevoſt | Mr. S. Ten Broeck | |
| Mr. Comſtock | Mr. J. Lanſingh | Mr. Root | Mr. Van Benthuyſen | |
| Mr. Dodge | Mr. M'Intyre | Mr. Schermerhorn | Mr. Veeder | |
| Mr. Fairlie | Mr. Moore | Mr. Shurtleff | Mr. Waren | 28 |

The other amendments were alſo ſeverally receded from by this Houſe, and the bill paſſed without amendment.

*Ordered*, That Mr. Storm and Mr. Swart deliver the ſaid bill to the Hon. the Sen
ate, and inform them that this Houſe have receded from their amendments to the ſai
bill, and have paſſed the ſame without amendment.

A meſſage from the Hon. the Council of Reviſion, tranſmitted to this Houſe b
the Hon. the Senate, was read, that it does not appear improper to the Council tha
the bill entitled "An act concerning the court of probates," the bill entitled "A
act ſupplementary to the act entitled "An act regulating the liberties of gaols," th
bill entitled "An act to amend an act entitled "An act to extend to the city o
Albany an act entitled "An act for regulating the buildings, ſtreets, wharves an
ſlips in the city of New-York," the bill entitled "An act for extending the time lim
ited by the laſt ſection of the act entitled "An act to ſettle diſputes concerning th
titles to lands in the county of Onondaga," and the bill entitled "An act to inve
the Mayor, Aldermen and Commonalty of the city of New-York with adequate pow
ers in relation to certain objects of importance to the health of the ſaid city," ſhoul
reſpectively become laws of this ſtate.

A copy of a reſolution of the Hon. the Senate, delivered by Mr. Frey and Mr
Gettman, was read, that the Senate do concur with this Houſe in their reſolution o
this day's date, that the Legiſlature will adjourn on Wedneſday next inſtead of thi
day.

A meſſage from the Hon. the Senate, alſo delivered by Mr. Frey and Mr. Gettman
with the bill, amendments and a copy of the reſolution therein mentioned, was read
that the Senate have receded from ſuch of their amendments to the bill entitled
"An act for the payment of certain officers of government, and other contingen
expanſes," as are for that purpoſe deſignated, and do adhere to their other amend
ments to the ſaid bill. The bill and the amendments adhered to by the Hon. th
Senate were read: Thereupon,

*Reſolved*, That this Houſe do recede from their reſolution of non-concurrence in
ſuch of the ſaid amendments as are adhered to on the part of the Hon. the Senate
and do concur in the ſaid amendments.

*Ordered* That Mr. S. Ten Broeck and Mr. Thomas deliver the bill to the Hon
the Senate, and inform them that the ſame is amended purſuant to the amendment
of the Hon. the Senate concurred in by this Houſe.

Mr. Reynolds from the committee of the whole Houſe on the bill entitled "An
act concerning the Surveyor-General," reported, that after the committee had gone
through the bill and added clauſes thereto, in proceeding to fill up the blanks, a
clauſe was read, and is in the words following, viz.

Be it enacted by the people of the ſtate of New-York, repreſented in Senate and
Aſſembly, That it ſhall and may be lawful to and for the Surveyor-General, and he
is hereby required, as ſoon after the paſſing of this act as conveniently may be, to
releaſe and quit claim unto the ſaid Sarah M'Ginnis and Rachael Walmſley, and
their heirs and aſſigns forever, all the eſtate, right, title and intereſt of the people o
this ſtate, of in and to lots number ſixty-one and ſixty-two in Banyar and Walla
ces patent, on the Suſquehanna river, on their paying or cauſing to be paid to the
people of this ſtate, the ſum of for each and every acre contained in the ſaid
two lots reſpectively.

That a motion was made to inſert the words "*two dollars*" in the blank in the
ſaid clauſe; and the queſtion having been put thereon, it paſſed in the negative.
That the yeas and nays being called for by Mr. Schermerhorn, ſeconded by Mr.
Root, were as follows, viz.

*For the Negative.*

| | | | |
|---|---|---|---|
| Mr. Arcularius | Mr. Gray | Mr. Micheau | Mr. H. Smith |
| Mr. Bruyn | Mr. Henry | Mr. E. Mott | Mr. Snell |
| Mr. Burr | Mr. Hoag | Mr. W. Mott | Mr. Speaker |
| Mr. Burt | Mr. Hopkins | Mr. Nexen | Mr. Storm |
| Mr. Deitz | Mr. Hunt | Mr Philips | Mr. Tabor |
| Mr. Dewey | Mr. Johnſon | Mr. Prevoſt | Mr. S. Ten Broeck |
| Mr. De Witt | Mr. J. Lanſingh | Mr. Robins | Mr, Van Benthuyſen |
| Mr. Dodge | Mr. Lefevre | Mr. Schermerhorn | Mr. Van Renſſelaer |
| Mr. Doty | Mr. Lott | Mr. Schuyler | Mr. Wolfe |
| Mr. Fairlie | Mr. M'Neil | Mr. Shurtleft | |

*For the Affirmative.*

| | | | | |
|---|---|---|---|---|
| Mr. Abeel | Mr. Cummings | Mr. C. M'Kinſtry | Mr. A. Smith | |
| Mr. Adams | Mr. Fort | Mr. Moore | Mr. John Smith | |
| Mr. Baldwin | Mr. German | Mr. Oſtrom | Mr. Philip Smith | |
| Mr. Blake | Mr. B. Gilbert | Mr. Pearce | Mr. Swart | |
| Mr. Boyd | Mr. E. Gilbert | Mr. Peck | Mr Swartwout | |
| Mr. Campbell | Mr. Hogeboom | Mr. Root | Mr. Voorhis | |
| Mr. Comſtock | Mr. King | Mr. Savage | Mr. Veeder | |
| Mr. Corl | Mr. Landon | Mr. Schuneman | Mr. Waren | 35 |
| Mr. Crocker | Mr. C. Lanſingh | Mr. Skidmore | | |

That Mr. Root then made a motion that the committee ſhould agree to expunge the ſaid laſt mentioned clauſe; and that the queſtion having been put thereon, it paſſed in the negative.

Mr. Reynolds further reported, that the committee had gone through the bill, added clauſes, filled up the blanks, added to the title the words "*and for other purpoſes,*" and agreed to the ſame; which report he read in his place, and delivered the bill, amendments and clauſes in at the table, where it was again read and agreed to by the Houſe.

*Ordered*, That the bill be engroſſed.

Then the Houſe adjourned until four o'clock this afternoon.

*Four o'clock, P. M.*

The Houſe met purſuant to adjournment.

The engroſſed bill entitled "An act concerning the Surveyor-General and for other purpoſes," was read the third time.

*Reſolved*, That the bill do paſs.

*Ordered*, That Mr. Thomas and Mr. Van Benthuyſen, deliver the bill to the Hon. the Senate, and requeſt their concurrence.

Mr. Campbell from the committee of the whole Houſe, on the bill entitled "An act for the relief of Mary Brannon," reported, that in proceeding in the ſaid bill, Mr. Prevoſt made a motion for a proviſo to be added to the ſaid bill, which was read, and is in the words following, viz.

*Provided that nothing in this act ſhall be conſtrued to veſt any eſtate in the premiſes in the ſaid Mary Brannon, unleſs it appear to the Comptroller, that the houſe and lot hereby granted, does not exceed the value of the dower of the ſaid Mary Brannon, of and in the eſtate whereof the ſaid Charles John Brannon died ſeized, to be calculated upon the principles eſtabliſhed in the concurrent reſolutions of the Senate and Aſſembly of this ſtate, of the 3d and 4th April, 1792.*

That the queſtion being put whether the committee did agree to the ſaid motion, it was carried in the affirmative. That the yeas and nays were called for by Mr. Comſtock, ſeconded by Mr. Prevoſt, and were as follows, viz.

*For the Affirmative.*

| | | | | |
|---|---|---|---|---|
| Mr. Arcularius | Mr. Dewey | Mr. M'Neil | Mr. H. Smith | |
| Mr. Baldwin | Mr. De Witt | Mr. Moore | Mr. John Smith | |
| Mr. Burr | Mr. Dodge | Mr. E. Mott | Mr. Philip Smith | |
| Mr. Clark | Mr. Fort | Mr. Nexen | Mr. Speaker | |
| Mr. Coe | Mr. German | Mr. Pearce | Mr. Tabor | |
| Mr. Comſtock | Mr. B. Gilbert | Mr. Prevoſt | Mr. S. Ten Broeck | |
| Mr. Corl | Mr. Hopkins | Mr. Root | Mr. Veeder | |
| Mr. Crocker | Mr. Lefevre | Mr. A. Smith | Mr. Waren | 34 |
| Mr. Deitz | Mr. C. M'Kinſtry | | | |

*For the Negative.*

| | | | | |
|---|---|---|---|---|
| Mr. Bruyn | Mr. Landon | Mr. Peck | Mr. John M. Smith | |
| Mr. Clift | Mr. J. Lanſingh | Mr. Robins | Mr. Snell | |
| Mr. Fairlie | Mr. Micheau | Mr. Savage | Mr. Storm | |
| Mr. Floyd | Mr. W. Mott | Mr. Schermerhorn | Mr. Swartwout | |
| Mr. Furman | Mr. Oſtrom | Mr. Schuyler | Mr. Teed | |
| Mr. Gates | Mr. Paine | Mr. Shurtleff | Mr. Thomas | |
| Mr. Gray | Mr. Pauling | Mr. Skidmore | Mr. Wolfe | 29 |
| Mr. Johnſon | | | | |

Mr. Campbell further reported, that the committee had gone through the bill, added the ſaid proviſo, and agreed to the ſame; which he was directed to report to

the Houſe, and he read the report in his place, and delivered the bill with the proviſo in at the table, where it was again read and agreed to by the Houſe.

*Ordered*, That the amendments be engroſſed.

A meſſage from the Hon. the Senate, delivered by Mr. Gettman and Mr. Gordon was read, that the Senate have concurred in the amendments of this Houſe, to the bill entitled "An act authorizing the Governor whenever in caſes of public calamity the ſame ſhall become neceſſary, to appoint occaſionally, places for holding any of the courts within this ſtate, different from the place where they ſhall be, to be held by law and for other purpoſes," and have amended the ſame accordingly.

The amended bill having been examined,

*Ordered*, That Mr. Storm and Mr. Swart, return the bill to the Hon. the Senate.

Mr. Thomas from the committee of the whole Houſe, on the bill entitled "An act for the better ſupport of the Oneida Indians," reported, that the committee had gone through the bill, and agreed to the ſame without amendment; which he was directed to report to the Houſe, and he read the report in his place, and delivered the bill in at the table, where it was again read and agreed to by the Houſe.

By unanimous conſent the ſaid bill was read the third time.

*Reſolved*, That the bill do paſs.

*Ordered*, That Mr. Swart and Mr. Swartwout, deliver the bill to the Hon. the Senate, and inform them that this Houſe have paſſed the ſame without amendment.

Two ſeveral meſſages from the Hon. the Council of Reviſion, delivered by the Hon. Mr. Juſtice Benſon, was read, that it does not appear improper to the council that the bill entitled "An act making proviſion to keep in repair the bridge over Schoharie the creek at Fort Hunter, in the county of Montgomery," the bill entitled "An act for the relief of John Lanſing jun," the bill entitled "An act to eſtabliſh a turnpike corporation for improving the road from the village of Lanſingburgh, through Cambridge and Salem, to the houſe now occupied by Hezekiah Leaving, in the town of Granville, and alſo from the houſe of John Faulkner, jun. in Salem, to the line of Rupert, in the ſtate of Vermont, near the houſe of William Brown," the bill entitled "An act to eſtabliſh a turnpike coporation for improving the road from the ſprings in Lebanon to the city of Albany, and a like corporation for improving the road from the village of Bath to the Maſſachuſetts line, and to repeal the act therein mentioned," the bill entitled "An act to enable certain perſons therein named to purchaſe and hold real eſtates within this ſtate," the bill entitled "An act to amend the act entitled "An act to lay a duty on ſtrong liquors, and for the regulating inns and taverns," the bill entitled "An act for the aſſeſſment and collection of taxes," and the bill entitled "An act to amend the act entitled "An act for the better ſettlement and relief of the poor," ſhould reſpectively become laws of this ſtate.

*Reſolved*, (if the Hon. the Senate concur herein,) That the Secretary of this ſtate be, and he is hereby directed, forthwith to cauſe to be printed 1500 copies of the bill entitled "An act for the aſſeſſment and collection of taxes," and to cauſe the ſame to be delivered to the members of both Houſes of the Legiſlature, in order that the ſame be diſtributed in the ſeveral towns and counties in this ſtate.

*Ordered*, That Mr. Tabor and Mr. Teed deliver a copy of the preceding reſolution to the Hon. the Senate.

*Reſolved*, (if the Hon. the Senate concur herein,) That the Secretary of ſtate, be required to cauſe to be printed a liſt of the titles of all laws paſſed at the preſent ſeſſion of the Legiſlature, and to furniſh each member with a copy of the ſame.

*Ordered*, That Mr. Tabor and Mr. Teed deliver a copy of the preceding reſolution to the Hon. the Senate.

Then the Houſe adjourned until eleven o'clock to-morrow morning.

TUESDAY, *eleven o'clock, A. M. April 2d*, 1799.

The bill entitled "An act for the relief of Mary Brannon," with the engroſſed amendments, was read the third time.

*Reſolved*, That the bill do paſs.

*Ordered*, That Mr. Thomas and Mr. Van Benthuyſen deliver the bill, with the amendments, to the Hon. the Senate, and inform them that this Houſe have paſſed the bill, with the amendments therewith delivered.

Two ſeveral reſolutions of the Hon. the Senate, delivered by Mr. Frey and Mr. Gettman, were read. By the firſt, the Senate do concur with this Houſe in their re-

olution relative to directing the Secretary of this ſtate to cauſe one thouſand five undred copies of the act for the aſſeſſment and collection of taxes to be printed or the uſe of the ſeveral towns within this ſtate. By the other, the Senate concur ith this Houſe in their reſolution directing the Secretary of this ſtate to cauſe a liſt f the titles of all laws paſſed at the preſent ſeſſion of the Legiſlature to be printed, nd to cauſe one copy of ſuch liſt to be delivered to each of the members of both Houſes.

A meſſage from the Hon. the Council of Reviſion, tranſmitted to this Houſe by he Hon. the Senate, was read, that it does not appear improper to the Council that he bill entitled "An act relative to the bridge acroſs the Norman's-kill, near the ity of Albany," and the bill entitled "An act directing the mode of granting letters f adminiſtration in certain caſes where perſons ſhall die inteſtate in the city of New-York," ſhould reſpectively become laws of this ſtate.

A meſſage from the Hon. the Senate, delivered by Mr. Gettman and Mr. Gordon, with the bill and amendments therein mentioned, was read, that the Senate have paſſed the bill entitled "An act to raiſe a ſum of money for the uſe of this ſtate by tax, and for the further ſupport of government," with the amendments therewith delivered. The bill and amendments were read; one of the amendments was to expunge a clauſe from the bill, by which it is propoſed to authorize the ſale of a ſum not exceeding four hundred and fifty thouſand dollars of the three per cent ſtock belonging to this ſtate. Mr. Speaker put the queſtion, whether the Houſe did concur with the Hon. the Senate in their ſaid amendment, and it was carried in the affirmative. The yeas and nays were called for by Mr. Peck, ſeconded by Mr. Landon, and were as follows, viz.

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Mr. Arcularius | Mr. French | Mr. J. M'Kinſtry | Mr. Savage |
| Mr. Boyd | Mr. Furman | Mr. M'Neil | Mr. Schermerhorn |
| Mr. Burr | Mr. Gates | Mr. Micheau | Mr. Schuneman |
| Mr. Campbell | Mr. German | Mr. Moore | Mr. Schuyler |
| Mr. Clark | Mr. B. Gilbert | Mr. E. Mott | Mr. Shurtleff |
| Mr. Clift | Mr. Gray | Mr. Oſtrom | Mr. Skidmore |
| Mr. Coe | Mr. Heermance | Mr. Paine | Mr. H. Smith |
| Mr. Crocker | Mr. Honeywell | Mr. Pauling | Mr. John M. Smith |
| Mr. Cummings | Mr. Hopkins | Mr. Pearce | Mr. Philip Smith |
| Mr. Deitz | Mr. Hunt | Mr. Philips | Mr. Storm |
| Mr. Dewey | Mr. Lott | Mr. Prevoſt | Mr. Swart |
| Mr. Dodge | Mr. M'Intyre | Mr. Reynolds | Mr. Swartwout |
| Mr. Fairlie | Mr. C. M'Kinſtry | Mr. Robins | Mr. S. Ten Broeck 53 |
| Mr. Fort | | | |

*For the Negative.*

| | | | |
|---|---|---|---|
| Mr. Abeel | Mr. Floyd | Mr. W. Mott | Mr. Tabor |
| Mr. Blake | Mr. E. Gilbert | Mr. Nexen | Mr. Teed |
| Mr. Bruyn | Mr. Honeywell | Mr. Peck | Mr. Thomas |
| Mr. Burt | Mr. Johnſon | Mr. Root | Mr. Van Benthuyſen |
| Mr. Comſtock | Mr. Landon | Mr. A. Smith | Mr. Veeder |
| Mr. Corl | Mr. C. Lanſingh | Mr. John Smith | Mr. Waren 27 |
| Mr. De Witt | Mr. Lefevre | Mr. Snell | |

Mr. Thomas made a motion that the Houſe ſhould reconſider that amendmen which propoſes to expunge the word "half," and inſert "third," and the queſtion having been put thereon, it paſſed in the negative. The yeas and nays being called for by Mr. Thomas, ſeconded by Mr. Savage, were as follows, viz.

*For the Negative.*

| | | | |
|---|---|---|---|
| Mr. Abeel | Mr. Dodge | Mr. C. Lanſingh | Mr. Reynolds |
| Mr. Arcularius | Mr. Fairlie | Mr. Lefevre | Mr. Robins |
| Mr. Boyd | Mr. French | Mr. M'Intyre | Mr. Root |
| Mr. Burr | Mr. Furman | Mr. C. M'Kinſtry | Mr. Schermerhorn |
| Mr. Campbell | Mr. Gates | Mr. J. M'Kinſtry | Mr. Schuneman |
| Mr. Clark | Mr. German | Mr. M'Neil | Mr. Schuyler |
| Mr. Clift | Mr. B. Gilbert | Mr. Nexen | Mr. Shurtleff |
| Mr. Coe | Mr. Gray | Mr. Oſtrom | Mr. H. Smith |
| Mr. Crocker | Mr. Honeywell | Mr. Paine | Mr. Storm |
| Mr. Cummings | Mr. Hopkins | Mr. Pearce | Mr. Swart |
| Mr. Dewey | Mr. Hunt | Mr. Prevoſt | Mr. Swartwout 46 |
| Mr. De Witt | Mr. Johnſon | | |

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Mr. Baldwin | Mr. Hogeboom | Mr. Pauling | Mr. Snell |
| Mr. Blake | Mr. Landon | Mr. Peck | Mr. Tabor |
| Mr. Comſtock | Mr. J. Lanſingh | Mr. Philips | Mr. Teed |
| Mr. Corl | Mr. Lott | Mr. Savage | Mr. S. Ten Broeck |
| Mr. Deitz | Mr. Micheau | Mr. Skidmore | Mr. Thomas |
| Mr. Floyd | Mr. Moore | Mr. A. Smith | Mr. Van Benthuyſen |
| Mr. Fort | Mr. E. Mott | Mr. John Smith | Mr. Veeder |
| Mr. E. Gilbert | Mr. W. Mott | Mr. John M. Smith | Mr. Waren |
| Mr. Heermance | | | |

The other amendments were alſo ſeverally again read, and ſome were concurr in and others not concurred in: Thereupon,

*Reſolved*, That this Houſe do concur with the Hon. the Senate in ſuch of the amendments to the ſaid bill as are for that purpoſe deſignated, and do not conc in the other amendments.

*Ordered*, That Mr. Weſtcott and Mr. Wolfe deliver the bill, amendments, and copy of the preceding reſolution to the Hon. the Senate.

A meſſage from the Hon. the Senate, delivered by Mr. Hatfield and Mr. Jone with the bill, amendments, and a copy of the reſolution therein mentioned, was rea that the Senate do adhere to their amendments to the bill entitled "An act to rai a ſum of money for the uſe of this ſtate by tax, and for the further ſupport of gov ernment:" Thereupon,

*Reſolved*, That a conference be held with the Hon. the Senate this afternoon a four o'clock, at ſuch place as they ſhall be pleaſed to appoint, on their amendmen to the ſaid bill, which were not concurred in by this Houſe.

The Houſe then, purſuant to the 15th article of the conſtitution of this ſtate, pro ceeded to chooſe by ballot a committee to manage the ſaid conference on the pa of this Houſe; and the ballots being taken, it appeared that Mr. Burr, Mr. Prevo and Mr. Hopkins were duly elected for the purpoſe: Thereupon,

*Reſolved*, That Mr. Burr, Mr. Prevoſt and Mr. Hopkins be a committee to man age the ſaid conference on the part of this Houſe.

*Ordered*, That Mr. Van Benthuyſen and Mr. Veeder deliver a copy of the two la preceding reſolutions to the Hon. the Senate.

A copy of a reſolution of the Hon. the Senate, delivered by Mr. Jones and Mr L'Hommedieu, was read, that the Senate will meet this Houſe this afternoon, at fou o'clock, in the Aſſembly chamber, to hold a conference on their amendments to th bill entitled "An act to raiſe a ſum of money for the uſe of this ſtate by tax, and fo the further ſupport of government," and that Mr. Spencer, Mr. Van Vechten an Mr. Tillotſon be a committee to manage the ſaid conference on the part of th Senate.

Then the Houſe adjourned until four o'clock this afternoon.

*Four o'clock P. M.*

The Houſe met purſuant to adjournment.

A meſſage from the Hon. the Senate, delivered by Mr. L'Hommedieu and Mr. Mathews, with the bill and amendments therein mentioned, were read, that the Sen ate have paſſed the bill entitled "An act concerning writs of certiorari, and to re peal the 9th ſection of the act entitled "An act concerning courts of oyer and ter miner and gaol delivery," with the amendments therewith delivered. The bill and amendments were read, and the amendments having been again read, were ſeverally concurred in by this Houſe, and the bill ordered to be amended accordingly.

*Ordered*, That Mr. Baldwin and Mr. Barker deliver the bill to the Hon. the Sen ate, and inform them that this Houſe have concurred in their amendments to the bill, and that the ſame is amended accordingly.

A meſſage from the Hon. the Senate, alſo delivered by Mr. L'Hommedieu and Mr. Matthews, with the bill therein mentioned, was read, that the Senate have con curred with this Houſe in their amendments to the bill entitled "An act for the relief of Mary Brannon," and that the ſame is amended accordingly.

The amended bill having been examined,

*Ordered*, That Mr. Veeder and Mr. Waren, return the bill to the Hon. the Sen ate.

Mr. Speaker then left the chair, and with the Houſe attended the Hon. the Senate in the Aſſembly chamber, purſuant to the reſolutions of both Houſes, for holding a conference on the amendments to the bill entitled "An act to raiſe a ſum of money for the uſe of this ſtate by tax, and for the further ſupport of government," and the ſaid conference being ended, Mr. Speaker reſumed the chair, and reported to the Houſe, that a conference had been held in the preſence of both Houſes, on the amendments propoſed by the Hon. the Senate to the ſaid bill.

The Houſe then having reconſidered the ſaid bill and amendments, Mr. Speaker put the queſtion whether the Houſe did adhere to the ſaid bill, and it was carried in the affirmative: Thereupon,

*Reſolved*, That that this Houſe do adhere to the ſaid bill.

*Ordered*, That Mr. Weſtcott and Mr. Wolfe, deliver the bill and a copy of the preceding reſolution to the Hon. the Senate.

A meſſage from the Hon. the Council of Reviſion, delivered by the Hon. the Chancellor was read, and is in the words following, viz.

*In Council of Reviſion, April* 2, 1799.

The council object to the bill entitled "An act to amend the ſtatute of limitation," as improper to become a law of this ſtate.

1ſt. Becauſe the ſtatute of limitation, as it now ſtands, affords the ſtate ſufficient ſecurity for its rights, ſince even after the year 1800 its claims may be proſecuted, if they have ariſen within forty years prior to ſaid proſecution, and becauſe a proſecution after a longer period, when the eſtates has probably paſſed into the hands of bona fide purchaſers, and been improved at their expence, and by their labor will always be odious and generally unjuſt and oppreſſive.

2d. Becauſe the law operates as an aſſurance on the part of the ſtate, that it will at a certain period relinquiſh its claims to the poſſeſſor of lands, and therefore ſhould be held ſacred and inviolate.

3d. Becauſe the bill goes to render every limitation of title ſo far as it reſpects the ſtate, illuſory for if it is expedient now to extend the term for four years, no man can conſide that before that period elapſes, it may not be again deemed expedient to extend it.

JOHN JAY.

The ſaid bill and objections having been read and conſidered, and the ſaid bill reconſidered, Mr. Speaker put the queſtion whether the ſaid bill notwithſtanding the objections of the Hon. the Council of Reviſion to the ſame, ſhall be a law of this ſtate, and it was carried in the affirmative in the manner following, viz.

*For the Affirmative.*

| | | | |
|---|---|---|---|
| Mr. Abeel | Mr. Floyd | Mr. C. M'Kinſtry | Mr. Schuneman |
| Mr. Arcularius | Mr. Fort | Mr. J. M'Kinſtry | Mr. Schuyler |
| Mr. Baldwin | Mr. French | Mr. M'Niel | Mr. Shurtleff |
| Mr. Blake | Mr. Furman | Mr. Michean | Mr. Skidmore |
| Mr. Bruyn | Mr. Gates | Mr. Moore | Mr. A. Smith |
| Mr. Burr | Mr. German | Mr. E. Mott | Mr. H. Smith |
| Mr. Burt | Mr. B. Gilbert | Mr. Nexen | Mr. John Smith |
| Mr. Campbell | Mr. E. Gilbert | Mr. Oſtrom | Mr. Philip Smith |
| Mr. Clark | Mr. Gray | Mr. Paine | Mr. Snell |
| Mr. Clift | Mr. Hogeboom | Mr. Pauling | Mr. Swart |
| Mr. Comſtock | Mr. Honeywell | Mr. Pearce | Mr. Swartwout |
| Mr. Corl | Mr. Hopkins | Mr. Peck | Mr. Tabor |
| Mr. Crocker | Mr. Hunt | Mr. Philips | Mr. S. Ten Broeck |
| Mr. Deitz | Mr. Johnſon | Mr. Prevoſt | Mr. Van Benthuyſen |
| Mr. Dewey | Mr. Landon | Mr. Robins | Mr. Veeder |
| Mr. De Witt | Mr. Lefevre | Mr. Root | Mr. Waren |
| Mr. Dodge | Mr. Lott | Mr. Schermerhorn | Mr. Weſtcott 70 |
| Mr. Fairlie | Mr. M'Intyre | | |

*For the Negative.*

| | | | |
|---|---|---|---|
| Mr. King | Mr. W. Mott | Mr. Savage | Mr. Storm |
| Mr. C. Lanſingh | Mr. Reynolds | Mr. John M. Smith | Mr. Teed 9 |
| Mr. J. Lanſingh | | | |

Thereupon, *Reſolved*, That the ſaid bill entitled "An act to amend the ſtatute of limitation," notwithſtanding the objections of the Hon. the Council of Reviſion to the ſame, be a law of this ſtate.

*Ordered*, That Mr. Abeel and Mr. Arcularius, deliver the ſaid bill and objections, and a copy of the preceding reſolution to the Hon. the Senate.

A meſſage from the Hon. the Council of Reviſion, alſo delivered by the Hon. the Chancellor was read, that it does not appear improper to the council that the bill entitled "An act for the inſpection of flour and meal," and the bill entitled "An act

for ſupplying the city of New-York with pure and wholeſome water," ſhould reſpectively become laws of this ſtate.

A meſſage from the Hon. the Senate, delivered by Mr. Matthews and Mr. J. Morris, with the bill therein mentioned was read, that the Senate have receded from their amendments to the bill entitled "An act to raiſe a ſum of money for the uſe of this ſtate by tax, and for the further ſupport of government," which were not concurred in by this Houſe.

*Ordered*, That Mr. Baldwin and Mr. Barker, deliver the bill to the Hon. the Senate, and inform them that the ſame is amended, purſuant to their amendments concurred in by this Houſe.

A copy of a reſolution of the Hon. the Senate, delivered by M. J. Morris and Mr. T. Morris was read, and is in the words following, viz.

*Reſolved*, (if the Hon. the Senate concur herein,) That the Legiſlature will at their next ſeſſion make proviſion by law for granting annually for the term of two years to the truſtees of Union College the ſum of one thouſand dollars, in order to enable the ſaid truſtees to pay ſuch profeſſors as now are or may be employed by them during the ſaid term of time.

*Reſolved*, That this Houſe do concur with the Hon. the Senate in their ſaid reſolution.

*Ordered*, That Mr. Arcularius and Mr. Baldwin, deliver a copy of the preceding reſolution of concurrence to the Hon. the Senate.

Then the Houſe adjourned until ten o'clock to-morrow morning.

WEDNESDAY, *ten o'clock A. M. April 3d*, 1799.

A meſſage from the Hon. the Senate, delivered by Mr. Myers and Mr. Phelps with the bill and amendments therein mentioned, was read, that the Senate have paſſed the bill entitled "An act to enable the Mayor, Recorder and Aldermen of the city of New-York to order the raiſing money by tax for the maintenance of the poor, and for defraying the other expenſes ariſing in the ſaid city and county of New-York," with the amendments therewith delivered. The bill and amendments were read; one of the amendments was to add to the title "and for other purpoſes," and the amendments having been read a ſecond time, were ſeverally concurred in by the Houſe, and the bill ordered to be amended accordingly.

*Ordered*, That Mr. Blake and Mr. Boyd deliver the bill to the Hon. the Senate and inform them that this Houſe have concurred in their amendments to the bill and that the ſame is amended accordingly.

A meſſage from the Hon. the Council of Reviſion, tranſmitted to this Houſe by the Hon. the Senate, was read, that it does not appear improper to the Council that the bill entitled "An act for the better ſupport of the Oneida Indians," the bill entitled "An act authorizing the Governor, whenever in caſes of public calamity the ſame ſhall be neceſſary, to appoint occaſionally places for holding any of the courts within this ſtate different from the place where they ſhall be to be held by law," the bill entitled "An act to amend the act entitled "An act for the relief of debtors with reſpect to the impriſonment of their perſons," ſhould reſpectively become laws of this ſtate.

The Hon. the Senate returned by Mr. Phelps and Mr. Ruſſell, the bill entitled "An act to raiſe a ſum of money for the uſe of this ſtate by tax, and for the further ſupport of government," and the bill entitled "An act concerning writs of certiorari, and to repeal the ninth ſection of the act entitled "An act concerning courts of oyer and terminer and gaol delivery.

*Ordered*, That Mr. Bill and Mr. Blake, deliver the ſaid bills to the Hon. the Council of Reviſion.

The Hon. the Senate returned by Mr. Ruſſell and Mr. Sanders, the bill entitled "An act to enable the Mayor, Recorder and Aldermen of the city of New-York to order the raiſing money by tax for the maintenance of the poor, and for defraying the other expenſes ariſing in the ſaid city and county of New-York, and for other purpoſes."

*Ordered*, That Mr. French and Fort, deliver the ſaid bill to the Hon. the Council of Reviſion.

Two ſeveral meſſages from the Hon. the Council of Reviſion, delivered by the Hon. the Chief Juſtice were read, that it does not appear improper to the council

hat the bill entitled "An act for the payment of certain officers of government and other contingent expences," the bill entitled "An act to raiſe a ſum of money for he uſe of this ſtate by tax and for the further ſupport of government," the bill entitled "An act concerning writs of certiorari, and to repeal the ninth ſection of the act entitled "An act concerning courts of oyer and terminer and gaol delivery," and he bill entitled "An act to enable the Mayor, Recorder and Aldermen of the city of New-York to order the raiſing monies by tax for the maintenance of the poor nd for defraying the other expences ariſing in the ſaid city and county of New-York and for other purpoſes," ſhould reſpectively become laws this ſtate.

A meſſage from the Hon. the Council of Reviſion, tranſmitted to this Houſe by he Hon. the Senate was read, that it does not appear improper to the council that he bill entitled "An act for the relief of Mary Brannon," and the bill entitled "An act relative to the counties of Ontario and Steuben," ſhould reſpectively become aws of this ſtate.

*Ordered*, That Mr. Boyd and Mr. Bruyn, wait on his Excellency the Governor, nd inform him that the Legiſlature will immediately adjourn, unleſs his Excellency has further buſineſs of importance to communicate.

Mr. Boyd reported, that Mr. Bruyn and himſelf had waited on his Excellency he Governor, with the meſſage from this Houſe, and that his Excellency had been leaſed to ſay, that he had not any further communications at preſent to make to he Legiſlature.

*Reſolved*, (if the Hon. the Senate concur herein,) That the Legiſlature will immediately adjourn.

*Ordered*, That Mr. Burr and Mr. Burt, deliver a copy of the preceding reſolution o the Hon. the Senate.

A copy of a reſolution of the Hon. the Senate, delivered by Mr. Sanders and Mr. anger was read, that the Senate do concur with this Houſe in their reſolution, that he Legiſlature will immediately adjourn.

Mr. Savage moved a reſolution in the words following, viz.

*Reſolved*, That the thanks of this Houſe be preſented to the Hon. Dirck Ten Broeck, for the faithful diſcharge of the important truſt repoſed in him as the Speaker f this Houſe, during the preſent ſeſſion of the Legiſlature.

The motion was received by the clerk, and the queſtion having been put by him, was carried unanimouſly; and to which the Speaker made the following anſwer:

GENTLEMEN,

TO have been called three times ſucceſſively, to diſcharge the honorable and important duties aſſigned to the Speaker of the Houſe of Aſſembly, whilſt it is highly attering and gratifying to myſelf, is ſo in ſome degree, I will venture to hope, to hoſe of my friends, whoſe partiality aided and effected to place me in this conſpicuus ſtation.

Senſible of my want of ability to diſcharge the duties of the chair in any competent degree, I ſhould ſpeak contrary to my own feelings, ſhould I attribute the ccels aſcribed to my conduct, to any other cauſe than that uniform ſupport which y well-meant endeavors, with every favourable allowance, have at all times reived from you. To have diſcharged the duties of my office in ſuch manner as to ave merited the approbation of the majority, was more than my ambition dared to pire to; to have received your unanimous approbation, is more than words of ine are adequate to expreſs. Your reſolution has excited in my breaſt the moſt leaſing emotions; my gratitude, eſteem and reſpect are ſtrong, and this explicit ſtimony of your favorable opinion of me, whilſt it furniſhes me with an ample compence and reward, will ever remain indelibly impreſſed upon my mind.

At this period of our ſeparation I embrace the opportunity of tendering to you an affectionate farewell. May you meet your families and friends with pleaſure, alloyed by misfortune. May you enjoy health, happineſs and proſperity at ur reſpective homes, with the heart cheering reflection of having faithfully diſarged the duties you owed your country during the long continuance of an imtant and intereſting ſeſſion.

*Ordered*, That the ſaid addreſs be inſerted in the journal of this Houſe.

Purſuant to concurrent reſolutions of the Senate and Aſſembly, the Houſe adurned to meet again according to law.

BRITISH MUSEUM

# INDEX.


Page.

A

ANSWER to Governor's speech, 8
Address to President of United States, 16
Answer to address, 4
Addison John, petition of 31, 43, 48
Avery Samuel and others, petition of 68, 75
Avery John, memorial of 72, 80
Albany, mayor, aldermen, &c. petition of 1, 18, 81
Albany county, superintendants of high-ways, petiton of 21, 51
Agriculture, society for the promotion of, petition of 21, 36, 47
Albany Library, trustees of, resolution of 33

B

Bannon Mary, petition of 5, 20, 30
Behrens Herman, petition of 16, 17
Bayard Stephen N. petition of 17, 52
Boyd Robert, memorial of 20, 22, 81
Blood Wm. Henry, petition of 96
Bogardus Samuel and others, leave granted to, to present a bill at the next session, for certain purposes mentioned, 70, 71

C

Clergy, order concerning them, 9
Caldwell James, petition of 5
Cornwall, inhabitants of, petition of 26, 45, 89
Cooper William, petition of 70
Commissioners of the jail in the county of Schoharie, petition of 57, 72
Comptroller, statement of the funds, &c. by, 12, 13, 14, 15
Statement of the funds, annual revenue and expenditures, 8, 9, 10, 11, 12, 13, 14

D

Duane Maria and others, petition of 1, 7
Denney John, petition of 34, 36

G

Governor, speech of 4, 5
Message from, relative to a concurrent resolution of the Senate and House of Representatives of the commonwealth of Massachusetts, 6, 17
Do. do. to the appointment of a Senator in the room of Wm. North, Esq. 6
Answer to speech of 8
Reply of, to Senate's answer, 11
Message from, respecting the answer of the President of the United States to Legislatures' address, 1, 2
Do. relative to our penal code, 5, 7
Do. do. to Virginia & Kentucky resolutions, 15, 65
Do. do. to Surveyor-General, 20
Do. do. to a legal controversy between a citizen and an Oneida Indian, 32, 38, 54
Do. do. to the resolution of the legislature of the state of N. Hampshire, 34, 39, 42, 65

Page.

Do. do. to the report of the commissioners of state-prison, 43, 44
Do. do. to the Cayuga tribe, 45, 49, 55
Do. do. to the appointment of a principal inspector, 48, 51
Do. do. to the resolutions of the state of Delaware, 63
Do. do. to the annual report of the Regents of the University, 73
Do. do. to the salting, repacking and inspecting beef and pork for exportation, 83
Do. do. to the return of the Adjutant-General, 91
Do. do. to the execution of an "act for the further defence of this state", 94
Do. do. to the expenditures of the mayor, &c. of the city of Albany, for the prevention of infectious disorders, 96
Do. do. to the report of the Governor's of the N. York Hospital, 100
Do. do. to a convention betwern this state and the Oneida tribe, 102
Do. do. to the appropriation of a further sum for defraying the expences in defending the rights of this state against the claims under Connecticut, 109

H

Hansen Mary, petition of 8
Hogeboom Stephen, memorial of 18, 45
Higday George, petition of 26, 84
Howard Thomas, petition of 44
Hunt Jonathan and others, petition of 68
Hathorn John and others, memorial of 73, 88
Hun Thomas and others, petition of 87
Hudson, mayor, aldermen, &c. petition of 63, 75

I & J

Inspectors of state-prison, representation of 33, 35, 41
Jones Horatio and Jasper Parish, petition of 34, 79
Jenkins Elisha and others, petition of 70, 75

K

Kloulton Lake and others, petition of 68

L

Lottridge Thomas and others, petition of 6
Loan-officers of Montgomery county, memorial of 24
Ledyard Benjamin, petition of 27, 39
Lawrence David and others, petition of 40

M

Mayor, aldermen, &c. of the city of Schenectady, petition of 16, 37

# INDEX.


Page.

Mayor, aldermen, &c. of the city of New-York, petition of 28
Montgomery county loan-officers, memorial of 24
Murray John and others, memorial of 26
Mabie Abraham, petition of 37
Moore James and others, petition of 46
Marvin Elihu, petition of 81, 83
Morgan Ephraim and others, petition of 95, 96
Mason John M. and others, leave granted to, to present a bill at the next session for certain purposes mentioned, 115, 116

O

Ontario county, supervisors of, petition of 16, 17

P

Pawling Albert and Moses Vail, representation of 8, 22
Pearsall Thomas and others, petition of 41, 44
Platt Theodorus and others, petition of 53, 54
Peterson Garret, petition of 63
Philip Samuel, leave granted to, to present a bill at the next session for certain purposes therein mentioned, 65, 72
President and Directors of the Western Inland Lock Navigation Company, petition of 45

R

Resolutions concurrent, relative to the appointment of a joint committee to prepare an address of the Legislature to the President of the United States, 7, 9, 15
Do. to the appointment of a Senator, 7, 9, 17
Directing the Secretary of State to cause a certain act therein mentioned to be printed, 23
Relative to adjournment, and time and place of next meeting, 25, 26
Directing the Comptroller to procure an iron chest for the purposes therein mentioned, 4, 5
Granting leave to Alsop, Vail and others to bring in a bill at the next session for the purposes therein mentioned, 18, 19
Relative to the appointment of a joint committee to consider the most proper means to prevent pestilential diseases in this state, 31, 32
Relative to imprisoned debtors, 32, 33
Do. to the appointment of a joint committee to consider the representation of inspectors of state-prison, 33, 35
Granting leave to Jacob Stout to bring in a bill at the next session for the purposes therein mentioned, 36, 38
Relative to defraying the expences of the deputies of the Stockbridge Indians, 62
Do. to Samuel Bogardus and John Drake to present a bill at the next session for the purposes therein mentioned, 70, 71
Rules of the Senate, 10, 11
Roblee Mary, dower claim of 26
Rosevelt Nicholas I. petition of 37, 44
Rice Thomas, petition of 58, 75
Rice John and others, petition of 70, 75
Resolutions concurrent, relative to defraying the expences of the deputies of the Oneida Indians, 72
Do. to the report of the Superintendant of the salt springs, 78, 86
Do. to the adjournment of the Legislature, 80, 83
Granting leave to Jonas Williams & others to present a bill at the next session for the purposes therein mentioned, 86
Directing the Comptroller to stay all proceedings against certain persons therein mentioned, 90, 92, 105
Relative to a distribution of the laws among the members of the Legislature, 93
Directing the printer to the state to publish a certain number of copies of communications made to the Agricultural Society therein mentioned, 97
Authorizing the Comptroller to borrow a certain sum of money of the Bank of New-York, on the credit of this state, ibid.
Relative to adjournmet, 99, 119, 129
Directing a certain act therein mentioned to be printed, 109
Do. Comptroller how to proceed in certain suits therein mentioned, 111
Do. a certain act therein mentioned to be printed, 121
Do. the Secretary of State to cause to be printed a list of the titles of the laws passed at the present session, ib.
Relative to making provision by law for granting a certain sum therein mentioned to the Trustees of Union College, 127
Revision Council of, objections of, to the bill entitled "An act to amend the statute of limitation," ibid.

S

Stevenson John, petition of 5, 8, 28
Stout Jacob, petition of 29, 36
Sprague Roger, petition of 34, 37
Stevens Samuel and others, petition of 68
Stoutenburgh Isaac and others, petition of 75, 78
Stafford Daniel and others, petition of 83
Schuyler Jeremiah and others, petition of 95
Supervisors of Schoharie county, petition of 57, 72

T

Ten Eyck Harmanus, petition of 7
Thurman John, petition of 43, 103
Ten Broeck John C. & others, petition of 44, 60
Trotter Matthew and others, petition of 46
Thurman John and others, petition of 68, 74

V

Van Vechten Teunis Ts. petition of 7
Vail Alsop and others, petition of 18, 19
Veeder Harmanus & Volkert, petitions of 22, 37
Van Eps John B. petition of 22, 37
Valkenburgh Van James and others, petition of 70

W

Watson James appointed Senator to Congress of the United States, 17, 18
Warford John, petition of 35, 60
Watson Elkanah and others, petition of 77
White Hugh, petition of 77, 79
Williams Jonas and others, leave granted to, to present a bill at the next session for certain purposes mentioned, 86

# Index to Journal of the Assembly, 1799.


A

ADAMS WILLIAM, petition of 128
Avery Samuel and others, petition of 167
Adams William, do. 167
Avery John and others, do. 182
Andrews Loring, repreſentation of 226
Albany, mayor, aldermen and commonalty, petition of 102, 108

B

Baſſett John Rev. appointed chaplain 7
Blain Theodore Anthony, Rev. do. 7
Boyd John junior and others, petition, &c. 11
Barker James, petition of 5, 38
Baldwin Jonas C. petition of 6
Bates Auguſtus, petition of 10
Bear Samuel, petition of 10, 42
Bleecker Barent and John R. and others, remonſtrance of 16
Burhans Edward and others, petition of 16, 43
Bloodgood Abraham & others, petition of 26, 49
Bennet Owen, petition of 37, 195
Barber Ann, petition of 37, 130
Black Mary, petition of 37
Bleau Cornelia and Poſt Jotham, junior, petition of 42, 189
Broomfield John W. and others, petition of 54
Brown John and others, petition of 62, 187
Bardman Benajah and others, petition of 99
Bogert Cornelius I. and Bogert Peter, petition of 99, 119
Cabinet Increaſe, petition of 128
Burroughs John and others, &c. do. 130
Bird Benjamin, do. 136
Brown Hezekiah, do. 140, 164
Barling William and others, do. 140
Bullwack Ebenezer and others, do. 145
Barry John & Wm. Barry, aliens, do. 163
Bayne Robert and others, do. 167
Barr Samuel, do. 179, 183
Bayne Samuel and others, do. 207
Bidfall Benjamin and others, 226, 237

C

Cornet Dirck, petition, &c. 5, 52, 92
Cantwell Jeſſe and others, petition of 14, 68
Colkburn William, do. 42, 79
Campbell Archibald, do. 64, 201
Cook Philip and others, do. 76
Cosine Alexander, do. 79, 95
Caldwell James, do. 83, 113
Cook David, do. 83, 129
Cockaden George, do. 105
Clay David and others, do. 112
Claus Anne, widow of Danl. Claus, do. 187
Church William and others, do. 196
Caroline John J. do. 207
Cone David, do. 241
Canaga Bridge Company, petition of 107, 113
Cherry Valley, Truſtees of the Academy, petition of 140

D

Davis Henry and others, petition of 15
De Groot William and others, do. 83, 137
Dennis Thomas and others, do. 92, 197
De Lancey John P. do. 102, 163
Denny John, do. 132, 200
Drake Cornelius and others, petition of 179, 201, 283
Duncan Mathew, John M. Maſon and Margaret Maſon, petition of 196
Dunlap John and others, petition of 251

E

Elliſon Thomas Rev. appointed chaplain 7
Enderon, Jacob and others, petition of 107
Engliſh John and Mary Harding, 214, 242

F

Foot Iſaac, petition of 38, 59
Fraſer John, do. 44, 124
Foſter John, do. 97, 130
Farwell Joſiah and others, petition of 140
Freeman Richard, do. 167
Ford Aſher, do. 201, 255

G

Governor, ſpeech of 5, 6
Meſſage from, 7
Addreſs to, in anſwer to ſpeech, 12
Meſſage from, fortifications N. York, 11
do. from, accompanying letter from Attorney-General 36
do with reſolutions of Virginia and Kentucky, 69
do. with memorial of the corpotation of New-York 88
do. with letter from Col. Stevens, 101
do. reſolutions of ſtate of Maryland, 103
do. reſpecting St. Regis Indians, 119
do. reſpecting arſenal in Albany, 133
do. with a letter from J. Watſon, Eſq. 143
do. report of Regents, 193
do. Virginia reſolutions, 220
do. report of governors of New-York Hoſpital, 231

H

Hunt Ephraim, appointed Sergeant at Arms, 4
Hanſen Peter, appointed Door-keeper, 4
Hanſen widow Mary, petition of, &c. 6
Hunt Stephen, petition of 37, 46
Hawkins David, do. 40, 130
Hawkins Joſeph, do. 42, 49
Hatfield Moſes, do. 64
Hamlin Amos, do. 65
Hartwell Thomas, do. 76, 88
Hardwick Chriſtian, petition of 81, 189
Holcomb Beriah and others, do. 92, 109
Houſe John G. and Iſaac Rappaljie, petition of 140, 153
Hill Daniel, petition of 149, 249
Hickock David, petition of 152, 181
Hull Samuel, do. 153, 181

# INDEX.


Page

Hood John and others, petition of 162
Harris Samuel and others, 196
Hanna James, petition of 215

I & J

Johnson John B. Rev. appointed chaplain, 7
Jennings Clark, petition of 10, 50
Johnson Jabez and others, &c. petition of 46, 52
Jones Robert W. petition of 54
Judd Eraſtus and others, petition of 57
Joyce John, do. 102, 129
Jones Benjamin and others, do. 123
Jewitt Jacob, Gideon Knowlton, and Anſon Green, petition of 143
Johnſon John, do. 182, 226
Inſpectors of ſtate priſon, report of 83

K

Kittletas Elizabeth, memorial of 17, 18
Knapp Obadiah and others, petition of 14, 52
Kline Joſeph, petition of 44
King Barzillai and others, petition of 46
Klock Jacob A. remonſtrance of 97
Kline Joſeph, do. 159

L

Little David, petition of 10, 227
Langdon Martin and others, petition of 11, 54
Latham Daniel and others, do. 37
Livingſton John, and Livingſton Edward, petition of 37, 50
Lanſing Levinus and others, &c. petition of 44
Lanſing Cornelius and others, do. 76, 96
Lanſing John, jun. do. 102, 129
Leach Phineas and others, do. 118
Lane Anna, &c. do. 128, 149
Low Margaret, &c. do. 128, 188

M

Miller Alexander Rev. appointed chaplain, 7
Mead Nehemiah and others, petition of 18, 23, 49
McCrea John and others, inhabitants, pet. 19
Murray Alexander, petition of 6
Manchester John and others, petition of 11
Mackay John, petition of 58
Meyer John and others, petition of 62, 154
M'Niſh Alexander, petition of 64, 89
M'Ginnis Sarah & Walmſley Rachael petition of 65, 97, 210
M'Kinſtry John, petition of 99
M'Gourk James, petition of 102, 132, 180
Merchant George, petition of 128, 189
Mitchell David and others, petition of 132, 209
Mead William, petition of 132
Mills James and others, petition of 144
Meſier Peter, remonſtrance of 152
Martin Charles, petition of 153
Moore James, petition of 231
Middleburgh miniſters, elders and deacons Reformed Dutch Church, petition of 14, 49

N

North Gabriel, petition of 10
Noſtrandt Peter, petition of 15, 130
Neil James O. and John O. Neil, petition of 179

O

Overaker Jacob and others, petition of 90, 142
Onondaga, petition of 64

P

Pennell Robert, petition of 10, 35
Patten Jonathan and others, petition of 41

Page.

Pine James, petition of 14, 187, 209
Philips Samuel and others, petition of
Powers Elijah and others, petition of 102
Pettes James and others, petition of 143, 201
Porter William, petition of 179

Q

Quereau Elias, petition of 44
Quereau Elias and others, petition of 155

R

Rockefeller William & others, petition of 26, 47
Ranſom Lewis and others, petition of 54, 145
Ryder Jacob, petition of 76
Rooſa Aldert, petition of 153
Ryerſon Cornelius, petition of 159, 249
Ramſey David and others, petition of 207
Report of the Inſpectors of the Sate-Priſon, 83
Report of the ſuperintendant of ſalt-ſprings, 169
Reſolutions concurrent, amendments to conſtitution of U. States, 187
Do. granting leave to S. Phillips & others, to preſent a bill at the next ſeſſion, 160
Do. Samuel Bogardus, &c. 167
Do. appointing a joint commitee to prepare an addreſs to Preſident Adams, 217
Do. granting leave to James Williams & others, of Orange county, to preſent a bill, &c. 226
Do. diſtribution of laws of the U. States, 24
Do. authoriſing Comptroller to borrow money, 24
Do. directing State Printer to print tranſactions of Agricultural Society, 24
Do. granting leave to John M. Maſon & others, to preſent a bill next ſeſſion, 27
Do. directing Secretary of State to cauſe 1500 copies of the tax law to be printed, 2
Do. do. titles of acts paſſed preſent ſeſſion, 2
Do. granting money to Union College 2

S

Swart Dirck and five other inhabitants, petition of 18,
Shute Henry, &c. petition of
Stephens William and others, petition of
Scudder widow Sarah, petition of 26, 1
Stewart James B. petition of 39,
Stuart Charles, petition of
Scott Henry and others, petition of
Scofield Amos, petition of 1
Schauper David, &c. petition of 1
Stevens William and others, petition of 1
Sloan William, petition of 132, 1
Sebring Iſaac, petition of 1
Sarvant Philip and others, petition of 1
Suffern John, petition of 182, 2
Shephard Edward and others, petition of 1
Strong Aſahel and Joſeph Beach, do. 1
Simſon Sol. and Henry Remſen, petition of 197, 207, 2
Scott Philip and others, petition and remonſtrance of 2
Surveyor-General, repreſentation of 2
Do. do.
State Priſon Inſpectors, report of 1
Salt Springs Superintendant, report of

# INDEX.


| | Page. |
|---|---|
| **T** | |
| n Broeck Dirck, chosen Speaker, | 4 |
| owbridge Rhoda and others, petition of | 6, 12 |
| urman John, petition of | 10, 68 |
| emper William, and Tremper John and others, petition of | 37, 151 |
| n Eyck Abraham and others, pet. of | 42, 128 |
| n Eyck Henry, petition of | 62, 130 |
| mlinson David, petition of | 118, 151 |
| omas David, petition of | 261, 271 |
| **U** | |
| nion College, trustees Schenectady, pet. of | 46 |
| money granted to, | 292 |
| **V** | |
| an Ingen James, appointed clerk, | 4 |
| an Rensselaer Jeremiah, memorial of | 44, 227, 93 |
| rooman Simon S. and others, petition of | 62 |
| an Taffell Abraham, memorial of | 64 |
| ail John, petition of | 76 |
| ergereau Abigail, widow of Peter Vergereau, petition of | 167 |
| an Orden Peter, petition of | 207, 220 |
| **W** | |
| illett Marinus, memorial of | 6, 130 |
| Wilson Nathan, petition of | 11, 36 |
| Wilson Ralph and others, petition of | 14 |
| Ward Jasper and others, petition of | 42 |
| Williams John and others, petition of | 44 |
| Woosey Thomas and others, petition of | 44, 68 |
| Weissenfels Frederick, petition of | 83, 130 |
| Wells John, petition of | 97, 108 |
| Wilson John, petition of | 109, 130 |
| Wilcox Eliab and others, petition of | 128 |
| Woodworth John & others, petition of | 136, 168 |
| Wray George and others, and Micajah Pettit, petition of | 140 |
| Wood John jun. petition of | 162 |
| Wilson Thomas, petition of | 167 |
| Weist Gideon and others, petition of | 167, 196 |
| Warford John and others, do. | 167, 201 |
| Webber Jacob and others, &c, do. | 196 |
| Wemple Myndert, A. Wemple and others, petition of | 200, 238 |
| Wilson Benjamin, petition of | 207, 251 |
| Williams Jonas and others, petition of | 226 |
| **Y** | |
| Yates Christopher, petition of | 76 |
| Younglove Joseph and others, petition of | 44 |

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